



STATE OF WISCONSIN

Assembly Journal

Ninety–Third Regular Session

WEDNESDAY, July 8, 1998

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

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 98–039

Relating to the school district boundary appeals board.
Submitted by Department of Public Instruction.
Report received from Agency, June 30, 1998.
To committee on **Education**.
Referred on July 8, 1998.

Assembly Clearinghouse Rule 98–068

Relating to children with disabilities.
Submitted by Department of Public Instruction.
Report received from Agency, June 30, 1998.
To committee on **Education**.
Referred on July 8, 1998.

COMMUNICATIONS

July 1, 1998

Charlie Sanders
Assembly Chief Clerk
1 East Main, Suite 402
Madison, WI 53702

Dear Charlie:

I am writing to inform you that my appointment to the Criminal Penalties Study Committee is Milwaukee County Circuit Court Judge Michael Malmstadt. He is the judge for Branch 39 in Milwaukee County. He may be reached at 414-278-4519. His address is the Milwaukee County Courthouse, 901 North 9th Street, Room 409, Milwaukee, WI 53233.

Sincerely,
SHIRLEY KRUG
Assembly Democratic Leader

COMMUNICATIONS

Juen 26, 1998

Mr. Charlie Sanders
Assembly Chief Clerk
1 East Main, Suite 402
Madison, WI 53708

Dear Chief Clerk Sanders:

As you know, I have decided not to seek re-election to the Wisconsin State Assembly. This decision was not easy for me. I enjoyed my 12 years in office, but look forward to returning to private life.

I intend to devote all of my time and effort toward finding a new career. This will not be possible unless I resign from office. I request that my employment as State Representative to the 74th Assembly District be terminated at midnight on July 31, 1998.

I will contact you next week to discuss the Assembly's retirement procedures and the status of my retirement and deferred compensation accounts.

Please do not hesitate to contact me if you any questions.

Sincerely,
BARBARA J. LINTON
74th Assembly District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Wisconsin Technical College System Board
Madison

June 3, 1998

To the Honorable, the Assembly:

I am please to share with you the following report in compliance with section [38.04\(21\)](#) of the statutes.

The 1997-99 state budget bill ([1997 Wisconsin Act 27](#)) included a provision which requires the Wisconsin Technical College System (WTCS) to submit a report regarding high school pupils attending technical colleges. The report is to be submitted annually to the Legislature and to three state agencies (Department of Administration, Public Instruction and Workforce Development).

Another provision in the budget bill (Section 9340(5x)) which relates to the initial applicability of s. [38.04\(21\)](#) created some ambiguity as to when the Legislature intended the first report to be submitted. Nevertheless, the WTCS decided to provide

the first report this year. Although the statutory deadline for the report is the third Monday in February, we informed the Legislature and the three agencies that due to the need for additional time to obtain the necessary data from the 16 technical college (WTCS) districts, the first report would be submitted by June, 1998.

A more extensive printout (358 pages) is available upon request from the WTCS Board office which provides a detailed breakdown of the data. For example, this printout identifies for each school district, the technical colleges attended by the high school pupils and the instructional level (postsecondary education, basic skills education or adult continuing education) of the courses taken by the pupils.

If you have any questions regarding this report, please contact Dan Clancy, Assistant State Director, at (608) 266-7983.

Sincerely,
EDWARD CHIN
State Director

Referred to committee on **Colleges and Universities**.

State of Wisconsin
Privatization Commission
Department of Administration
Madison

June 22, 1998

To the Honorable, the Assembly:

On behalf of the Wisconsin Commission on Privatization, I am pleased to submit to you our final report as required in the [1995 Wisconsin Act 27](#). The report provides a summary of the work of the Commission and includes the Commission's vision, goals and recommendations.

The recommendations delineated in the report outline a process that calls for the fair and open examination of state government activities and services and provides a means to determine which activities should be subjected to competitive contracting, given their potential for cost savings and improved efficiency.

Wisconsin currently contracts competitively for a substantial number of services; however, the process documented in this report proposes a far more comprehensive approach to competitive contracting and privatization. The process can be applied by any agency in state government or the State Legislature to determine the competitive nature of the activity and the potential for cost savings.

Anticipating that the next state budget will once again demand tough decisions and difficult choices, we offer the comprehensive process as an additional tool to assist agencies in developing cost-effective budgets. The Commission recommends that all Wisconsin State agencies adopt and implement the Competitive Government Process.

We appreciate your assistance in making a copy of this report available to each member of the State Assembly.

Sincerely,
POLLY W. BEAL, Chair
Wisconsin Commission on Privatization

Referred to committee on **Government Operations**.

State of Wisconsin
Department of Health and Family Services
Madison

June 30, 1998

To the Honorable, the Assembly:

[1989 Wisconsin Act 31](#), Section [1118i](#), requires the Department of Health and Family Services to submit to the chief clerk of each house of the legislature a report on June 30 annually on the allocation and expenditure of funds for services for homeless individuals. Attached is the Department's eighth annual report.

Departmental staff are available if you have any questions or require any additional information.

Sincerely,
JOE LEEAN
Secretary, DHFS

Referred to committee on **Children and Families**.

State of Wisconsin
Higher Educational Aids Board
Madison

June 30, 1998

To the Honorable, the Legislature:

Per [1997 Act 27](#), section [9156\(1\)\(h\)](#) the Higher Educational Aids Board along with the Educational Approval Board have conducted a study to identify all statutes relating to the functions and duties of each board that are obsolete or antiquated. Attached are the findings, conclusions, and recommendations.

If you have any questions, please feel free to contact me at (608) 264-6181. Thank you for your time and consideration.

Sincerely,
JANE HOJAN-CLARK
Acting Executive Secretary, HEAB

Referred to committee on **Colleges and Universities**.

State of Wisconsin
Department of Justice
Madison

July 1, 1998

To the Honorable, the Legislature:

Section [9131](#) of [1997 Wisconsin Act 27](#) requires the Department of Justice to prepare and submit two reports on criminal history background searches. I am pleased to offer these reports to fulfill the requirements of that legislation.

“Criminal Background Record Checks – Uniform Fee Proposal” is a report on the feasibility of establishing uniform fees for criminal history searches performed under ss. 165.82. The Department of Justice has determined that a uniform fee of \$7 would provide the revenue necessary to support current costs, but opposes the implementation of a uniform fee structure for reasons detailed in the report.

“Caregiver Background Checks – Determining Convictions in Other States” is a two-part report. The first part, prepared by the Department of Justice, examines whether an efficient method exists to determine if a person employed in the caregiver industry has a relevant criminal conviction in a state other than Wisconsin. Use of the current national record check system would require state legislation and the submission of an applicant fingerprint card. The report outlines some other options available to caregivers searching for out-of-state criminal record information.

The second part of the report, prepared by the Department of Health and Family Services, examines the methods available for determining if a caregiver has been reported for abuse or neglect or misappropriation of property in another state.

Questions about either Department of Justice report should be referred to Michael A. Roberts, Deputy Administrator, Division of Law Enforcement Services, at 608/266-7052. Questions concerning the report developed by the Department of Health and Family Services can be referred to George Watson of DHFS at 267-7949.

Sincerely,
JAMES E. DOYLE
Attorney General

Referred to committee on **Criminal Justice and Corrections.**

State of Wisconsin
Department of Health and Family Services
Madison

July 1, 1998

To the Honorable, the Assembly:

As required by s. 252.04(11), Wis. Stats., enclosed is the Annual Statewide Immunization Program Report. Please distribute this report to the appropriate standing committee.

Sincerely,
JOE LEEAN
Secretary, DHFS

Referred to committee on **Health.**

AGENCY REPORTS

DATE: June 6, 1997

TO: Charles R. Sanders
Assembly Chief Clerk

FROM: Kathryn A. Moore
State Employment Options
Department of Employment Relations

Ann Smith
Equal Opportunity Officer
Division of Economic Support
Department of Workforce Development

RE: Draft Mentoring Guidelines

In our efforts to assist state agencies employ and retain W-2 and Food Stamp participants with dependent children, we have developed the attached W-2 mentoring guidelines to assist in this effort. The guidelines provide two sample mentor programs and information on resources, communication skills and helping the employe or community service job trainee become comfortable in the new job or work experience site.

The Guidelines are in draft form and we would like you to review and comment on them before finalization. Please forward comments to Kathryn A. Moore by June 26, 1998.

Thank you for your assistance.

State of Wisconsin
Department of Administration
Madison

June 24, 1998

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 May, 1998.

On May 19, 1998 the **Wisconsin Petroleum Inspection Fund** balance was -\$2.06 million. This shortfall continued until May 21, 1998 when the balance reached \$6.43 million. This shortfall was due to the timing of revenues.

On May 7, 1998 the **Wisconsin Health Education Loan Repayment Fund** balance was -\$13 thousand. This shortfall continued until May 14, 1998 when the balance reached \$11 thousand. This shortfall was due to the timing of revenues.

On May 29, 1998 the **Wisconsin Health Education Loan Repayment Fund** balance was -\$5 thousand. This shortfall continued into the month of June 1998. This shortfall was due to the timing of revenues.

The Wisconsin Petroleum Inspection and Health Education Loan Repayment Fund shortfalls were not in excess of the statutory interfund borrowing limitation 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,
MARK D. BUGHER
Secretary, DOA

State of Wisconsin
Legislative Audit Bureau
Madison

July 6, 1998

State of Wisconsin
Legislative Audit Bureau
Madison

July 1, 1998

To the Honorable, the Legislature:

We have completed an evaluation of the Department of Natural Resources' expenditures that support Wisconsin's fish and wildlife programs. In fiscal year (FY) 1996-97, the Department spent \$81.2 million on fish and wildlife activities. The majority of expenditures, 78.9 percent, were made from the Fish and Wildlife Account, which is primarily funded by fishing and hunting user fees. Although Wisconsin is not unique in its use of user fees to fund fish and wildlife programs, it depends on these fees to a larger extent than most other states.

Because the Department uses funds from the Fish and Wildlife Account for many activities, hunters and anglers have been concerned about whether the fees they pay are used exclusively for hunting and fishing activities, or whether they are used for more broad-based environmental programs. The Department's accounting systems do not allow revenues from specific licenses, such as deer hunting licenses, to be linked directly with particular expenditures. Nevertheless, we could determine that of the \$50.4 million in user fees spent in FY 1996-97, 39.7 percent primarily benefited hunters and anglers; 35.3 percent benefited multiple users, who included but were not limited to hunters and anglers; 23.0 percent was used to finance a portion of the Department's overhead costs; and 2.0 percent was spent on activities that did not directly support hunting and fishing opportunities. In addition to expenditures supported by user fees, the Department spent \$11.3 million from sources other than user fees on activities that primarily benefited hunters and anglers, and \$18.7 million from other sources on activities that benefited multiple users.

The Department has substantial flexibility in how it spends fish and wildlife funds. This flexibility has led some to question the Department's accountability to the Legislature and hunters and anglers, whose fees fund most program costs. We have included recommendations to improve the Department's reporting methods through the development of appropriate performance measures and the reporting of expenditures in the context of progress toward meeting performance goals.

We appreciate the courtesy and cooperation extended to us by staff of the Department of Natural Resources. A response from the Department is Appendix VII.

Respectfully submitted,
JANICE MUELLER
State Auditor

To the Honorable, the Legislature:

As requested by the Public Service Commission (PSC), we have completed a financial audit of the Universal Service Fund, which was established under [1993 Wisconsin Act 496](#) to ensure that all state residents receive essential telecommunication services and have access to advanced telecommunication capabilities, such as the Internet. Our audit report contains our unqualified opinion on the Fund's financial statements and related notes for the calendar years ending December 31, 1997 and December 31, 1996.

During the course of our audit, we found that PSC has not fully developed all of the programs it established to enhance telecommunication capabilities around the state. Consequently, the Fund's 1997 expenditures were significantly less than its \$8 million budget for programs and administration, and its balance increased by \$1.91 million to reach \$6.27 million at the end of its second year of operation. To reduce this balance, PSC temporarily suspended revenue assessments against telecommunication providers effective January 1998.

The Legislature also intends to fund the Educational Telecommunications Access Program, which is one of five programs related to the Technology for Educational Achievement (TEACH) initiative established in [1997 Wisconsin Act 27](#), from the Universal Service Fund. The program is intended to provide eligible school districts, technical college districts, private colleges, and private library boards with enhanced telecommunication services such as direct access to the Internet and two-way interactive video, which allows participants to view and respond to instructional presentations made from off-site locations. The Legislature appropriated \$12.32 million from the Universal Service Fund to support this program during the 1997-99 biennium.

As of May 31, 1998, the Universal Service Fund had not incurred any expenditures under the Educational Telecommunications Access Program. However, because the entire \$12.32 million is available to the TEACH Board for expenditure at any time during the 1997-99 biennium, PSC will need to re-institute assessments against telecommunication providers. The Joint Committee on Finance may wish to ensure that the fees assessed against the telecommunication providers are sufficient and timely to fund all Universal Service Fund expenditures when it receives a report concerning certain financial activities, which the Legislature required from PSC and the TEACH Board under non-statutory provisions in [1997 Wisconsin Act 27](#). That report is due in August 1998.

We appreciate the courtesy and cooperation extended to us by the staff at PSC and at the Fund's administrator, Williams, Young and Associates, LLC, during the audit. A response from Public Service Commission is the appendix.

Respectfully submitted,
JANICE MUELLER
State Auditor