

STATE OF WISCONSIN
Senate Journal
Ninety–Fifth Regular Session

WEDNESDAY, March 20, 2002

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

REPORT OF COMMITTEES

The committee on **Insurance, Tourism, and Transportation** reports and recommends:

KUSSART, GENE, of Verona, as Secretary of the Department of Transportation, to serve for the term ending at the pleasure of the Governor.

Confirmation.

Ayes, 5 – Senators Breske, Grobschmidt, Baumgart, A. Lasee and Schultz.

Noes, 0 – None.

Roger Breske
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Joint Legislative Council**

March 14, 2002

The Honorable, The Senate:

Enclosed is a copy of the *2001 Annual Report on the Legislative Council Rules Clearinghouse*, submitted to the Legislature pursuant to s. 227.15 (5), Stats.

The report covers the 22nd full calendar year of operation of the Rules Clearinghouse. I trust that it will be found to be informative.

Sincerely,

TERRY C. ANDERSON
Director

**State of Wisconsin
Department of Transportation**

March 11, 2002

The Honorable, The Senate:

I am please to submit the final Report of “Evaluation of Alternative Registration Revenue Methodologies.” I think this report will provide a solid overview of alternative vehicle registration methods.

The Department of Transportation was required in the 1997-99 Biennial Budget (1997 Act 27), per Section 9149 (3gh) to ... “conduct a study of the feasibility and desirability of establishing vehicle registration fees to be based on the value of the vehicle or the horsepower motor of the vehicle in lieu of the current vehicle registration fees...” The Department was direct to “...submit a report containing its findings, conclusions and recommendations, including any recommended statutory changes to the appropriate standing committees of the

Legislature in the manner provided under section 13.172 of the statutes.”

If you have questions or need further clarification, please feel free t contact me at (608) 267-9618.

Sincerely,

ALICE M. MOREHOUSE, Director
Office of Policy and Budget

Referred to the committee on **Insurance, Tourism, and Transportation**.

**State of Wisconsin
Department of Administration**

March 15, 2002

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 2002.

On February 25, 2002, the **Wisconsin Health Education Loan Repayment Fund** balance was minus \$1,000. This shortfall continued until February 26, 2002, when the balance reached a positive \$11,000. The Wisconsin Health Education Loan Repayment Fund shortfall was 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,

GEORGE LIGHTBOURN
Secretary

Referred to the joint committee on **Finance**.

The following Senate Bills failed to pass pursuant to **Senate Joint Resolution 1**.

Senate Bills 4, 8, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 34, 36, 39, 40, 42, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 57, 59, 60, 62, 64, 65, 66, 67, 68, 72, 73, 74, 76, 77, 78, 79, 80, 82, 83, 84, 85, 86, 87, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 114, 115, 117, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 131, 132, 133, 134, 136, 137, 139, 140, 141, 142, 143, 145, 146, 147, 148, 149, 150, 151, 152, 153,

154, 155, 156, 158, 159, 161, 162, 164, 165, 166, 167, 168, 169, 171, 172, 173, 174, 177, 180, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 194, 195, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 226, 228, 230, 232, 234, 236, 238, 241, 243, 245, 248, 249, 252, 254, 255, 256, 257, 258, 261, 262, 263, 265, 266, 268, 269, 270, 272, 273, 276, 277, 278, 280, 281, 282, 283, 284, 285, 286, 287, 289, 290, 291, 292, 293, 294, 297, 298, 299, 300, 301, 304, 305, 306, 308, 309, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 331, 334, 335, 337, 338, 341, 342, 343, 345, 346, 348, 349, 350, 351, 352, 353, 354, 355, 357, 358, 359, 362, 363, 365, 366, 370, 371, 374, 376, 377, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 392, 395, 396, 397, 398, 399, 400, 401, 403, 404, 405, 406, 407, 408, 409, 410, 412, 414, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 431, 432, 433, 434, 437, 441, 442, 443, 444, 445, 446, 447, 448, 449, 451, 453, 454, 455, 456, 457, 458, 459, 461, 465, 466, 467, 468, 472, 473, 474, 475, 476, 477, 478, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497

The following Senate Joint Resolutions failed adoption pursuant to **Senate Joint Resolution 1**.

Senate Joint Resolutions 3, 5, 6, 15, 16, 17, 19, 25, 29, 32, 35, 40, 41, 43, 44, 47, 55, 60, 61, 65

The following Senate Resolutions failed adoption pursuant to **Senate Joint Resolution 1**.

Senate Resolutions 4, 8, 10, 12, 13, 15

The following Assembly Bills failed concurrence pursuant to **Senate Joint Resolution 1**.

Assembly Bills 1, 2, 3, 4, 5, 6, 13, 20, 30, 35, 38, 39, 41, 42, 44, 45, 47, 49, 50, 58, 59, 62, 63, 96, 100, 104, 109, 114, 116, 119, 134, 136, 149, 151, 152, 154, 158, 163, 166, 167, 171, 176, 184, 188, 192, 196, 199, 208, 212, 215, 217, 220, 222, 223, 224, 225, 239, 241, 244, 245, 259, 263, 267, 269, 280, 281, 286, 289, 291, 293, 298, 299, 300, 301, 320, 326, 336, 341, 343, 345, 348, 355, 357, 359, 361, 365, 373, 374, 376, 380, 382, 386, 392, 415, 425, 427, 436, 439, 441, 446, 453, 464, 470, 477, 479, 480, 484, 487, 492, 493, 495, 496, 500, 503, 505, 506, 510, 520, 521, 522, 529, 539, 540, 542, 551, 552, 554, 555, 556, 557, 563, 576, 578, 579, 580, 581, 584, 585, 587, 593, 599, 600, 607, 608, 613, 614, 620, 627, 635, 642, 645, 647, 659, 665, 673, 675, 682, 686, 689, 695, 713, 718, 726, 731, 735, 743, 744, 745, 751, 758, 759, 760, 773, 777, 780, 782, 784, 788, 794, 807, 825, 828, 829, 830, 842, 843, 845, 848, 850, 852, 865, 867, 869, 871, 872, 876

The following Assembly Joint Resolutions failed concurrence pursuant to **Senate Joint Resolution 1**.

Assembly Joint Resolutions 1, 2, 12, 13, 16, 17, 19, 38, 48, 49, 54, 57, 58, 61, 65, 76, 84, 85, 94, 96, 97, 98, 101, 102, 103, 106

ADVICE AND CONSENT OF THE SENATE

**State of Wisconsin
Office of the Governor**

March 11, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint THOUSAND, FRANCIS R., of Madison, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the interim term July 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Universities, Housing, and Government Operations.**

**State of Wisconsin
Office of the Governor**

March 11, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DELAP, RUSSELL D., of Brookfield, as a member of the Athletic Trainers Affiliated Credentialing Board, to serve for the term ending July 1, 2006.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Health, Utilities, Veterans and Military Affairs.**

**State of Wisconsin
Office of the Governor**

March 11, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SYBELDON, JOHN M., of Wausau, as a member of the Athletic Trainers Affiliated Credentialing Board, to serve for the term ending July 1, 2006.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Health, Utilities, Veterans and Military Affairs.**

**State of Wisconsin
Office of the Governor**

March 11, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PARROTT, HARRY A., of Dousman, as a member of the Examining Board of Geologists, Hydrologists and Soil Scientists, to serve for the interim term ending July 1, 2004.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Environmental Resources.**

**State of Wisconsin
Office of the Governor**

March 11, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LECLEIR, CLIFFORD F., of La Crosse, as a member of the Judicial Commission, to serve for the term ending August 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform.**

**State of Wisconsin
Office of the Governor**

March 11, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KEEVER, MICHAEL A., of Appleton, as a member of the Judicial Commission, to serve for the term ending August 1, 2004.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform.**

**State of Wisconsin
Office of the Governor**

March 11, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HEISER, TEE, of Woodville, as a member of the Judicial Commission, to serve for the term ending August 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform.**

**State of Wisconsin
Office of the Governor**

March 11, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint TRUCKEY, DEBRA S., of Racine, as a member of the Podiatrists Affiliated Credentialing Board, to serve for the term ending July 1, 2006.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Health, Utilities, Veterans and Military Affairs.**

**State of Wisconsin
Office of the Governor**

March 11, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SVEUM, PETER A., of Stoughton, as a member of the Real Estate Board, to serve for the term ending July 1, 2006.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Universities, Housing, and Government Operations.**

**State of Wisconsin
Office of the Governor**

March 11, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KLEMAN, JOANN, of Mosinee, as a member of the Veterinary Examining Board, to serve for the term ending July 1, 2006.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Labor and Agriculture.**

**State of Wisconsin
Office of the Governor**

March 11, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GODFREY, WILLIAM N., of Elm Grove, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the interim term ending January 1, 2004.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Universities, Housing, and Government Operations.**

**State of Wisconsin
Office of the Governor**

March 15, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SOEHNER, MICHAEL R., of Stoughton, as Administrator of the Division of Merit Recruitment and Selection, to serve for the interim term ending March 26, 2004.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Labor and Agriculture.**

**State of Wisconsin
Office of the Governor**

March 14, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KAUFMANN, TODD A., of Oshkosh, as a member of the Fox River Navigational System Authority, to serve for the term ending July 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Environmental Resources**.

**State of Wisconsin
Office of the Governor**

March 14, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LISLE, THOMAS A., of De Pere, as a member of the Fox River Navigational System Authority, to serve for the term ending July 1, 2004.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Environmental Resources**.

**State of Wisconsin
Office of the Governor**

March 14, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint NELSON, ELWYN (JACK), of Oshkosh, as a member of the Fox River Navigational System Authority, to serve for the term ending July 1, 2004.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Environmental Resources**.

**State of Wisconsin
Office of the Governor**

March 14, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint VAN DE HEY, RON, of Kaukauna, as a member of the Fox River Navigational System Authority, to serve for the term ending July 1, 2004.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Environmental Resources**.

**State of Wisconsin
Office of the Governor**

March 14, 2002

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint WILLIS, BILLY R., of Green Bay, as a member of the Fox River Navigational System Authority, to serve for the term ending July 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Environmental Resources**.

**REFERRALS AND RECEIPT OF
COMMITTEE REPORTS CONCERNING
PROPOSED ADMINISTRATIVE RULES**

Senate Clearinghouse Rule 02-003

Relating to motor carrier safety regulations.

Submitted by Department of Transportation.

Report received from Agency, March 14, 2002.

Referred to committee on **Insurance, Tourism, and Transportation**, March 20, 2002.

The committee on **Economic Development and Corrections** reports and recommends:

Senate Clearinghouse Rule 01-147

Relating to the Wisconsin development zone program.

No action taken.

Robert Jauch
Chairperson

The committee on **Health, Utilities, Veterans and Military Affairs** reports and recommends:

Senate Clearinghouse Rule 00-187

Relating to practice and procedure before the commission.

No action taken.

Senate Clearinghouse Rule 01-108

Relating to protecting public health by regulating the sources and use of ionizing radiation.

No action taken.

Rodney Moen
Chairperson

The committee on **Human Services and Aging** reports and recommends:

Senate Clearinghouse Rule 01-016

Relating to permit fees 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.

No action taken.

Senate Clearinghouse Rule 01-062

Relating to public employee safety and health.

No action taken.

Judith Robson
Chairperson

The committee on **Labor and Agriculture** reports and recommends:

Senate Clearinghouse Rule 01-057

Relating to cheese grading.

No action taken.

Senate Clearinghouse Rule 01-058

Relating to pathogen tests on ready-to-eat dairy products.

No action taken.

David Hansen
Chairperson

The committee on **Universities, Housing, and Government Operations** reports and recommends:

Senate Clearinghouse Rule 01-111

Relating to elevators and mechanical lifting devices.

No action taken.

Senate Clearinghouse Rule 01-135

Relating to heating, ventilating and air conditioning and to the Wisconsin changes, additions, substitutions or omissions to the International Mechanical Code (IMC).

No action taken.

Senate Clearinghouse Rule 01-150

Relating to blasting in communities.

No action taken.

Mark Meyer
Chairperson

CHIEF CLERK'S REPORT

The Chief Clerk records:

Senate Joint Resolution 53

Senate Joint Resolution 54

Deposited in the office of the Secretary of State on March 15, 2002.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Bill 307

Senate Bill 369

Report correctly enrolled on March 15, 2002.

CHIEF CLERK'S REPORT

The Chief Clerk records:

Senate Bill 333

Presented to the Governor on March 18, 2002.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Joint Resolution 62

Senate Bill 61

Senate Bill 178

Senate Bill 179

Report correctly enrolled on March 19, 2002.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

2001 SENATE RESOLUTION 16

Prepared by the Legislative Reference Bureau
(March 18, 2002)

1. Page 1, line 8: delete "suggest" and substitute "suggests".

CORRECTIONS IN:

2001 ASSEMBLY BILL 850

Prepared by the Legislative Reference Bureau
(March 13, 2002)

1. Page 21, line 16: on lines 16 and 20, delete "fifth" and substitute "5th".

CORRECTIONS IN:

**ASSEMBLY AMENDMENT 1,
TO 2001 ASSEMBLY BILL 850**

Prepared by the Legislative Reference Bureau
(March 8, 2002)

In engrossing, the following correction was made:

1. Page 2, line 12: delete "the".