

STATE OF WISCONSIN
Senate Journal
Ninety–Eighth Regular Session

WEDNESDAY, January 9, 2008

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

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 212** offered by Senator Wirch.

Senate amendment 1 to **Senate Bill 298** offered by Senator Sullivan.

**INTRODUCTION, FIRST READING, AND
REFERENCE OF PROPOSALS; REFERENCE OF
APPOINTMENTS**

Read first time and referred:

Senate Bill 379

Relating to: fire safety performance standards for cigarettes, making an appropriation, and providing a penalty.

By Senators Robson, Hansen, Miller, Lehman, Risser, Coggs, Cowles, Roessler and Sullivan; cosponsored by Representatives Hines, Wasserman, Young, A. Ott, Sinicki, Benedict, Berceau, Grigsby and Molepske, by request of Wisconsin Fire and EMS Legislative Leadership Coalition comprised of Professional Firefighters of Wisconsin, Wisconsin State Fire Chief's Association, Wisconsin State Firefighters Association, Wisconsin EMS Association, Wisconsin Chapter: International Association of Arson Investigators, Wisconsin Fire Chief's Education Association, Wisconsin Society of Fire Service Instructors, Wisconsin State Fire Inspectors Association; and the Wisconsin Chapter, American College of Emergency Physicians, Smoke-Free Wisconsin, Wisconsin Association of Local Health Departments and Boards, Wisconsin Public Health Association, City of Beloit Fire Chief Brad Liggett, City of Janesville Fire Chief Larry Groroud and City of Milwaukee Fire Chief Douglas Holton.

To committee on **Public Health, Senior Issues, Long Term Care and Privacy**.

REPORT OF COMMITTEES

The committee on **Senate Organization** reports:

Senate Bill 126

Relating to: notification of the state regarding a medical malpractice claim.

Referred to joint committee on **Finance** by committee on **Senate Organization**, pursuant to Senate Rule 41 (1)(e).

Ayes, 4 – Senators Decker, Hansen, Fitzgerald, and Leibham.

Noes, 0 – None.

Senate Bill 155

Relating to: a loan program for veterinary medicine students who agree to provide veterinary medical services to food-producing animals in this state, requiring the exercise of rule-making authority, and making an appropriation.

Referred to joint committee on **Finance** by committee on **Senate Organization**, pursuant to Senate Rule 41 (1)(e).

Ayes, 4 – Senators Decker, Hansen, Fitzgerald, and Leibham.

Noes, 0 – None.

Senate Bill 168

Relating to: eligibility for academic excellence higher education scholarships.

Referred to joint committee on **Finance** by committee on **Senate Organization**, pursuant to Senate Rule 41 (1)(e).

Ayes, 4 – Senators Decker, Hansen, Fitzgerald, and Leibham.

Noes, 0 – None.

Senate Bill 194

Relating to: the licensing and regulation of thermal system insulation and fire-stop product mechanics and contractors; creating a thermal system insulation and fire-stop council; requiring the employment of a state inspector; establishing standards for installing, removing, and maintaining thermal system insulation and fire-stop products; requiring the exercise of rule-making authority; and providing a penalty.

Referred to joint committee on **Finance** by committee on **Senate Organization**, pursuant to Senate Rule 41 (1)(e).

Ayes, 4 – Senators Decker, Hansen, Fitzgerald, and Leibham.

Noes, 0 – None.

Senate Bill 211

Relating to: soliciting purchases of goods or services using unsolicited checks or money orders and providing a penalty.

Referred to joint committee on **Finance** by committee on **Senate Organization**, pursuant to Senate Rule 41 (1)(e).

Ayes, 4 – Senators Decker, Hansen, Fitzgerald, and Leibham.

Noes, 0 – None.

Withdrawn from joint committee on **Finance** and made available for scheduling, pursuant to Senate Rule 41 (1)(e).

Ayes, 4 – Senators Decker, Hansen, Fitzgerald, and Leibham.

Noes, 0 – None.

Senate Bill 275

Relating to: furnishing or using certain consumer loan information to make solicitations and providing a penalty.

Referred to joint committee on **Finance** by committee on **Senate Organization**, pursuant to Senate Rule 41 (1)(e).

Ayes, 4 – Senators Decker, Hansen, Fitzgerald, and Leibham.

Noes, 0 – None.

Senate Bill 307

Relating to: the veterans tuition reimbursement program.

Referred to joint committee on **Finance** by committee on **Senate Organization**, pursuant to Senate Rule 41 (1)(e).

Ayes, 4 – Senators Decker, Hansen, Fitzgerald, and Leibham.

Noes, 0 – None.

Absent, 1 – Senator Risser.

RUSS DECKER
Chairperson

The committee on **Agriculture and Higher Education** reports and recommends:

Senate Bill 353

Relating to: collective bargaining process for University of Wisconsin System faculty and academic staff and making appropriations.

Passage.

Ayes, 4 – Senators Vinehout, Lassa, Plale and Kapanke.

Noes, 1 – Senator Harsdorf.

KATHLEEN VINEHOUT
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Office of the Senate President**

January 9, 2008

The Honorable, the Senate:

Pursuant to Senate Rule 46 (2)(c), I am writing to inform you that I have directed the following proposal(s) to be withdrawn from committee and rereferred. I have obtained the consent of the appropriate standing committee chairperson and the chairperson of the committee on Senate Organization.

Senate Bill 366 withdrawn from joint survey committee on **Retirement Systems** and rereferred to committee on **Labor, Elections and Urban Affairs**.

Sincerely,
FRED A. RISSER
Senate President

**State of Wisconsin
Senate**

December 12, 2007

The Honorable, The Senate:

As the new Senate Co-Chair of the Joint Committee on Finance, I am writing to inform you I am appointing Senator Judy Robson to the University of Wisconsin Hospital and Clinic

Authority Board, as well as the governing body of the University of Wisconsin Hospitals and Clinics Board.

As my designee, I know Senator Robson will serve on your board in the best interest of the State of Wisconsin.

Please let me know if you have any questions or I can ever be of service to you.

Sincerely,
SENATOR MARK MILLER
16th Senate District

**State of Wisconsin
University of Wisconsin System**

December 15, 2007

The Honorable, the Legislature:

The 1999–2001 State of Wisconsin Biennial Budget, [1999 Wisconsin Act 9](#), included a provision to change the University of Wisconsin System’s appropriation for tuition and fee revenues (Academic Student Fees, Fund 131) from an annual, sum certain appropriation to a continuing appropriation.

Wisconsin Act 9 required the Board of Regents to report annually, beginning on December 15, 2000, the amount by which actual expenditures in the previous fiscal year, in this case 2006–07, exceeded the amount in the schedule for that appropriation in the previous fiscal year. That report, including the purposes for which the additional revenues were spent and the amount spent for each purpose, is attached.

Please contact Lynn Paulson at (608) 263–7481, if you have any questions related to this report.

Sincerely,
DEBORAH A. DURCAN
Vice President for Finance

**State of Wisconsin
Medical College of Wisconsin**

December 17, 2007

The Honorable, Legislature:

Enclosed please find the Medical College of Wisconsin’s (MCW) annual report for the Breast Cancer Research Program funded through the income tax check-off created by [2003 Wisconsin Act 176](#). The document represents the annual report highlighting the fiscal reporting period of September, 2006 – June 30, 2007.

If you have any questions or comments regarding the report, please contact me at (414) 456–8217.

Sincerely,
KATHRYN A. KUHN
Associate Vice President of Government Affairs

**State of Wisconsin
Legislative Audit Bureau**

December 18, 2007

The Honorable, the Legislature:

We have completed a financial audit of the State of Wisconsin Educational Communications Board (ECB) Television Network to meet our audit requirements under s. [13.94](#), Wis. Stats., and as requested by ECB to fulfill the audit requirements of the Corporation for Public Broadcasting. The Corporation requires audited financial statements of public broadcasting entities to determine future funding levels.

ECB, which is an agency of the State of Wisconsin, operates a television network of 5 digital stations and 5 analog stations,

as well as a radio network of 13 FM stations and 1 AM station. The Television Network reported \$11.2 million in support and revenue during fiscal year (FY) 2006–07, including state support, member contributions, funding from the Corporation for Public Broadcasting, and various other grants.

Our audit report contains the ECB Television Network’s financial statements and related notes as of and for the periods ending June 30, 2007, and June 30, 2006. We were able to issue an unqualified independent auditor’s report on these statements.

We appreciate the courtesy and cooperation extended to us by ECB staff during the audit.

Respectfully submitted,
JANICE MUELLER
 State Auditor

**State of Wisconsin
 Legislative Audit Bureau**

December 18, 2007

The Honorable, the Legislature:

We have completed a financial audit of the State of Wisconsin Educational Communications Board (ECB) Radio Network to meet our audit requirements under s. 13.94, Wis. Stats., and as requested by ECB to fulfill the audit requirements of the Corporation for Public Broadcasting. The Corporation requires audited financial statements of public broadcasting entities to determine future funding levels.

ECB, which is an agency of the State of Wisconsin, operates a radio network of 13 FM stations and 1 AM station, as well as a television network of 5 digital stations and 5 analog stations. The Radio Network reported \$8.9 million in support and revenue during fiscal year (FY) 2006–07, including state support, member contributions, funding from the Corporation for Public Broadcasting, and various other grants.

Our audit report contains the ECB Radio Network’s financial statements and related notes as of and for the periods ending June 30, 2007, and June 30, 2006. We were able to issue an unqualified independent auditor’s report on these statements.

We appreciate the courtesy and cooperation extended to us by ECB staff during the audit.

Respectfully submitted,
JANICE MUELLER
 State Auditor

**State of Wisconsin
 Department of Health and Family Services**

December 19, 2007

The Honorable, The Senate:

The Department of Health and Family Services is pleased to provide you this annual report of the Wisconsin Food Security Consortium’s plans to address food insecurity, as required under s.46.76(4) and (5). The Wisconsin Food Security Consortium continues to make progress in devising strategies to end hunger and food insecurity in Wisconsin. Highlights include:

- The Consortium continued to expand its membership to include several more local food security representatives. A website was established during 2007 to establish a primary communication link with members and other partners. (See

<http://www.wisconsinfoodsecurityconsortium.org/>.) A series of Topic Papers were developed for the Hunger Summit related to the four areas of food insecurity: Emergency Food Programs, Nutrition Assistance Programs, Access to Affordable and Nutritious Food, and Family Economic Security.

- The full Consortium met quarterly throughout 2007, while the Steering Committee met monthly. The by-laws were finalized and the Committee elected Jane Voichick as Consortium Chair.

- The Consortium planned and hosted a statewide Hunger Summit on October 4, 2007, in Stevens Point. The Summit was very well attended. Nearly 200 food providers, activists, state and local public and private hunger prevention agencies, public health nutritionists, FoodShare eligibility workers, business leaders, food pantry staff and volunteers, members of the faith community and other interested parties were present. Speakers included Senator Julie Lassa, Representative Louis Molepske, Patti Whitney–Wise (Executive Director of the Oregon Hunger Relief Task Force), Lynn Parker (Director of Child Nutrition Programs and Nutrition Policy, Food Research and Action Center, Washington D.C.), and Consortium members. The purpose of the Summit was to bring partners from around Wisconsin together to learn about food insecurity and hunger in the state, to network and collaborate, and to be inspired with ideas and actions. Input was collected to draft a statewide action plan that will serve as a blueprint as we move forward.

- The Wisconsin WIC Program conducted its WIC Food Insecurity Survey in 2007, a repeat of the survey conducted in 2002. Low food security increased from 44% in 2002 to 51% in 2007. However, very low food security (formerly described as food insecurity with hunger) decreased from 19% in 2002 to 15% in 2007.

- The major activities of the Consortium for 2008 will include finalizing the Statewide Action Plan and facilitating regional hunger forums throughout Wisconsin. The goal of the regional forums is to further engage local partners in strategies to reduce hunger. These strategies will be included in the final Action Plan which the Consortium will distribute statewide and begin implementing in 2008.

The Department is also a partner with the University of Wisconsin–Extension in the Wisconsin Food Security Project, which provides up-to-date county and state-level information about food security, economic well-being, and the availability and use of public and private programs to increase access to affordable and nutritious foods. An interactive map is available on the Wisconsin Food Security Project’s website, showing each county’s food security profile as measured by different indicators, including federal nutrition assistance program, food production and marketing, community infrastructure, and economic well-being, at <http://www.wisstat.wisc.edu/uwex/foodmaps.aspx>. The Department, along with the Food Security Consortium, continues its commitment to fighting hunger in Wisconsin.

With warm regards,
KEVIN R. HAYDEN
 Secretary

Referred to committee on **Agriculture and Higher Education**.

**State of Wisconsin
 Department of Administration**

December 19, 2007

The Honorable, The Senate:

In compliance with Wisconsin statute 16.548, please find the Wisconsin Office of Federal/State Relations quarterly report to be submitted to the Legislature for the Second Quarter of 2007. This report provides information on the activities of the office and the status of federal legislation of concern to the State of Wisconsin.

Please contact me if you have any questions about this material.

Sincerely,
MICHAEL MORGAN
Secretary

**University of Wisconsin
Parkside**

December 19, 2007

The Honorable, The Senate:

Attached please find the report pursuant to Chapter 118.40(2r)(f). This report has been prepared by the Charter School office on behalf of Chancellor Keating and is submitted to your office pursuant to s. 13.172(2).

Should you have questions or need additional information you can contact me at UW-Parkside, my email address is Haubruch@uwp.edu. Note that I am only part-time and email works best for contacting me.

Respectfully yours,
PAUL A. HAUBRICH, PH.D.
Secretary

**State of Wisconsin
Department of Administration**

December 31, 2007

The Honorable, The Senate:

This report is transmitted as required by s. 20.002(11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes) 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 cash balances during the month of November 2007.

On November 1, 2007, the **Wisconsin Health Education Loan Repayment Fund** cash balance closed at a negative \$2 thousand. This negative balance continued through November 30, 2007, when the fund's cash balance closed at a negative \$2 thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

On November 1, 2007, the **Worker's Compensation Fund** cash balance closed at a negative \$1.8 million. This negative balance continued through November 30, 2007, when the fund's cash balance closed at a negative \$2.9 million (its intra-month low). The negative balance was due to the difference in the timing of revenues and expenditures.

On November 1, 2007, the **Injured Patients and Families Compensation Fund** cash balance closed at a negative \$46.2 million. This negative balance continued through November 30, 2007, when the fund's cash balance closed at a negative \$44.5 million. The **Injured Patients and Families Compensation Fund** cash balance reached its intra-month low of a negative \$46.3 million on November 13, 2007. The negative balance was due to the transfer of \$71.5 million to the General Fund per **2007 Wisconsin Act 20**, and the pending liquidation of fund securities necessary to offset this shortfall.

The Wisconsin Health Education Loan Repayment Fund, Worker's Compensation Fund, and the Injured Patients and Families Compensation Fund shortfalls were not in excess of the statutory interfund borrowing limitations 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, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,
MICHAEL L. MORGAN
Secretary

Referred to joint committee on **Finance**.