

STATE OF WISCONSIN  
**Senate Journal**  
Ninety–Eighth Regular Session

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THURSDAY, July 17, 2008

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

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**CHIEF CLERK'S ENTRIES**

The Chief Clerk makes the following entries dated Monday, July 14, 2008.

**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

May 27, 2008

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint RUIZ, LAURA, of Milwaukee, as a member of the Barbering and Cosmetology Examining Board, to serve for the term ending July 1, 2011.

Respectfully submitted,  
*JIM DOYLE*  
Governor

Read and referred to committee on **Health, Human Services, Insurance, and Job Creation.**

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The Chief Clerk makes the following entries dated Tuesday, July 15, 2008.

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

**Senate Clearinghouse Rule 08–041**

Relating to video service franchise.  
Submitted by Department of Financial Institutions.  
Report received from Agency, July 14, 2008.  
Referred to committee on **Veterans and Military Affairs, Biotechnology and Financial Institutions**, July 15, 2008.

**Senate Clearinghouse Rule 08–032**

Relating to long–term care plans including the long–term care partnership program qualifying policies and affecting small business.  
Submitted by Insurance Commissioner.  
Report received from Agency, July 14, 2008.  
Referred to committee on **Public Health, Senior Issues, Long Term Care and Privacy**, July 15, 2008.

The Chief Clerk makes the following entries dated Wednesday, July 16, 2008.

**REPORT OF COMMITTEES**

The committee on **Public Health, Senior Issues, Long Term Care and Privacy** reports and recommends:

FINDER–STONE, PATRICIA, of De Pere, as a member of the Board on Aging and Long Term Care to serve for the term ending May 1, 2013

Confirmation.

Ayes, 5 – Senators Carpenter, Coggs, Kreitlow, Schultz and Cowles.

Noes, 0 – None.

LEASE, MARY, of Oregon, as a member of the Nursing Home Administrator Examining Board, to serve for the term ending July 1, 2011.

Confirmation.

Ayes, 5 – Senators Carpenter, Coggs, Kreitlow, Schultz and Cowles.

Noes, 0 – None.

*TIM CARPENTER*  
Chairperson

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**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Department of Public Instruction**

July 8, 2008

The Honorable, The Senate:

Pursuant to s. 15.377(8), Wis. Stats., enclosed please find a list of nominees to the Professional Standards Council for Teachers. These individuals were selected based upon organizational recommendations as prescribed in statute. Your confirmation of the appointees is requested.

WATSON, DWIGHT, of St. Paul, Minnesota, as a member of the Professional Standards Council for Teachers, for the term ending June 30, 2011.

Read and referred to committee on **Education.**

Sincerely,  
*ELIZABETH BURMASTER*  
State Superintendent

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

The committee on **Ethics Reform and Government Operations** reports and recommends:

**Senate Clearinghouse Rule 08–024**

Relating to certification and training of municipal clerks.

No action taken.

*FRED RISSER*  
Chairperson

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**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Legislative Audit Bureau**

July 8, 2008

The Honorable, The Legislature:

As required by s. 13.94(1)(em), Wis. Stats., we have completed our annual financial audit of the Wisconsin Lottery, which is administered by the Department of Revenue. We have issued an unqualified opinion on the Wisconsin Lottery’s fiscal year (FY) 2005–06 and FY 2006–07 financial statements. We also found that the Wisconsin Lottery was in compliance with statutory spending limitations related to prizes, product informational advertising, retailer compensation, and administrative expenses.

Total ticket sales increased \$57.8 million, or 13.3 percent, from FY 2002–03 to FY 2006–07. However, FY 2006–07 ticket sales of \$492.8 million were \$16.2 million, or 3.2 percent, less than those of the previous year. Wisconsin Lottery staff attribute this decrease to the timing of large Powerball jackpots, which have a significant effect on ticket sales. Total operating expenses increased \$42.5 million, or 13.6 percent, from FY 2002–03 to FY 2006–07, primarily because lottery prizes and retailer compensation fluctuate with ticket sales. In FY 2006–07, lottery proceeds of \$160.0 million were distributed to provide property tax relief.

We appreciate the courtesy and cooperation extended to us by Wisconsin Lottery staff in the Department of Revenue.

Sincerely,  
*JANICE MUELLER*  
State Auditor

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**State of Wisconsin  
Department of Health Services**

July 11, 2008

The Honorable, The Senate:

Pursuant to Wis. Stats., s. 50.04(5)(fr), I am submitting the Department of Health Services’ annual report to the Legislature related to Class A violations committed by nursing homes, and forfeitures assessed on nursing homes for those violations.

As defined by Wis. Stats., s. 50.04(3b), a Class A violation is ” . . . a violation of this subchapter or of the rules promulgated

thereunder which creates a condition or occurrence relating to the operation and maintenance of a nursing home presenting a substantial probability that death or serious mental or physical harm to a resident will result . . . .”

The Department issued 33 Class A violations in calendar year 2007. The enclosed report provides details on all Class A violations, including the original forfeiture amount assessed and the status of payment.

Sincerely,  
*KAREN E. TIMBERLAKE*  
Secretary

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**State of Wisconsin  
Department of Transportation**

July 16, 2008

The Honorable, The Senate:

The Department of Transportation has completed the extension study of State Trunk Highway (STH) 138 as directed under section 9148(non–statutory provisions) in 2007 Wisconsin Act 20. The purpose of the study was to identify whether North Tolles Road in Rock County should be added to the STH system as an extension to STH 138. The report is being submitted to the Legislature in the manner prescribed under s. 13.172 (2) Wis. Stats.

In conducting the study, various aspects of a typical highway project were evaluated such as land use, roadway and shoulder width, access points, traffic volumes and crashes. Based on the data collected and analysis performed, the existing corridor will provide acceptable operating capacity for at least the next 20 years. No further action is planned at this time.

If you would like any further information, please contact Rose Phetteplace at 608–246–5443.

Sincerely,  
*FRANK J. BUSALACCHI*  
Secretary

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

**Senate Clearinghouse Rule 08–031**

Relating to certifying applicants and allocating dairy manufacturing facility investment tax credits, and affecting small businesses.

Submitted by Department of Commerce.

Report received from Agency, July 16, 2008.

Referred to committee on **Commerce, Utilities and Rail**, July 17, 2008.