

STATE OF WISCONSIN

Senate Journal

Ninety–Fourth Regular Session

WEDNESDAY, June 14, 2000

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

PETITIONS AND COMMUNICATIONS

State of Wisconsin

June 8, 2000

The Honorable, The Senate:

Pursuant to Senate Rule [20\(2\)\(a\)](#), I have appointed Senator Peggy Rosenzweig to the State Historical Society of Wisconsin Board of Curators.

With regard to members of the minority party, the appointment reflects the nomination of that caucus.

Sincerely,

CHUCK CHVALA

Chair, Committee on Senate Organization

State of Wisconsin Office of the Secretary of State

To the Honorable, the Senate:

<u>Bill, Joint Resolu- tion or Resolution Number</u>	<u>Act Number or Enrolled Number</u>	<u>Publication Date</u>
1999 Senate Joint Resolution 31	Enrolled Joint Resolution, 27	N/A

Sincerely,

DOUGLAS LA FOLLETTE

Secretary of State

State of Wisconsin Department of Regulation and Licensing

June 9, 2000

The Honorable, The Senate:

In accordance with WSS 961.36(3), enclosed please find the 1999 Controlled Substances Board Annual Report.

It is hopeful that the Senate will find this report useful.

Sincerely,

PATRICK D. BRAATZ

Administrator, Division of Health Professionals and Services Licensing

State of Wisconsin Department of Health and Family Services

May 30, 2000

The Honorable, The Senate:

Pursuant to Section 9123(7) of the [1999 Wisconsin Act 9](#), the Department of Health and Family Services is required to report by June 30, 2000, the activities of Wisconsin projects funded by Community-Based Hunger Prevention Program grants. These grants, awarded under s. [46.765](#) Wisconsin Statutes, enabled public or private non-profit organizations to develop,

implement, and support community-based efforts to prevent hunger and food insecurity in Wisconsin. The enclosed report, *Community Based Hunger Prevention Grants Program, 1995-1999: A Comprehensive Summary*, summarizes the activities, effectiveness and impact of the 70 projects.

The statutes requires that the Department report to the Governor and Wisconsin Legislature on the activities of these projects by June 30, 2000. The enclosed report is being submitted to you in accordance with this requirement. Please contact my office if you have any questions.

Sincerely,

JOE LEEAN

Secretary

State of Wisconsin Department of Employment Relations

May 19, 2000

The Honorable, The Legislature:

I am pleased to submit the Fiscal Year 1999 report on employment of Wisconsin Works (W-2) program customers. This report includes: (1) a description of each agency's efforts to employ W-2 customers; and (2) the number of W-2 customers under s. [49.19](#), Wis. Stats., employed by each agency and the classification title of each position filled from July 1, 1998, through June 30, 1999.

Enclosed is a copy of the W-2 Hiring Report. Please contact Pepe Indalecio, in the Division of Affirmative Action, at (608) 266-6475, fax (608) 267-1020, TTY (608) 267-1004 or e-mail Pepe.Indalecio@der.state.wi.us or Kathryn A. Moore, in the Division of Merit Recruitment and Selection, at (608) 266-9472, fax (608) 267-1000, TTY (608) 266-1498 or e-mail Kathryn.Moore@der.state.wi.us, if you have any questions or need additional information regarding this report.

Sincerely,

PETER D. FOX

Secretary

State of Wisconsin Legislative Audit Bureau

June 12, 2000

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) 1998-99 and FY 1997-98 financial statements.

Total lottery sales increased from \$418.6 million in FY 1997-98 to nearly \$428.2 million in FY 1998-99. This increase, which is the first since FY 1994-95, is due largely to several large on-line jackpots. For example, in July 1998, the Powerball jackpot reached a record amount of \$295.7 million. Sales of instant ticket lottery games, however, continued a four-year

decline from \$252.9 million in FY 1997-98 to \$230.8 million in FY 1998-99.

During our audit, we identified a concern related to payment of liquidated damages. In June 1997, GTECH Corporation implemented a new computer system to support the Lottery's instant ticket and on-line games. Between June 1997 and April 1999, GTECH Corporation experienced significant complications with the system and the Lottery assessed liquidated damages totaling \$2.53 million. GTECH has already paid the Lottery \$235,200 in the form of sales credits on its monthly invoices. Recently, the Lottery and GTECH have agreed to a tentative settlement of \$750,000, including \$500,000 in cash, to resolve the outstanding balance due. The remaining \$250,000 will be received in the form of goods and services, which GTECH may contract with any vendor to provide. To ensure sufficient legislative and budgetary oversight of the tentative \$750,000 settlement, we recommend that the Lottery report to the Legislature on its plans for these funds.

We appreciate the courtesy and cooperation extended to us by the Department of Revenue. The Department's response is the appendix.

Sincerely,

JANICE MUELLER
State Auditor

**State of Wisconsin
Ethics Board**

June 6, 2000

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 1999 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us>

Daggett, Julie A. **Lutheran Social Services of Wisconsin & Upper Michigan Inc**

Fleming, Jr, James **City of Milwaukee**

Peshek, Peter **Wildlife Legislative Fund of America**

Smith, Elizabeth B **Marathon Oil Company**

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,

ROTH JUDD
Director

EXECUTIVE COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

June 7, 2000

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DARLING, SENATOR ALBERTA, of River Hills, as a member of the College Savings Program Board, to serve for the term ending May 1, 2005.

Sincerely,

TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

June 7, 2000

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BUBOLZ, JOHN, of Appleton, as a member of the College Savings Program Board, to serve for the term ending May 1, 2003.

Sincerely,

TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

June 7, 2000

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint READ, JOEL, of Milwaukee, as a member of the College Savings Program Board, to serve for the term ending May 1, 2003.

Sincerely,

TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

June 7, 2000

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ADAMSKI, PAUL C., of Stevens Point, as a member of the College Savings Program Board, to serve for the term ending May 1, 2005.

Sincerely,

TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

June 7, 2000

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CLUMPNER, J. MICHAEL, of Delavan, as a member of the College Savings Program Board, to serve for the term ending May 1, 2005.

Sincerely,

TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

June 7, 2000

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint WOLFF, MICHAEL D., of Madison, as a member of the College Savings Program Board, to serve for the term ending May 1, 2003.

Sincerely,

TOMMY G. THOMPSON
Governor

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

**State of Wisconsin
Office of the Governor**

May 30, 2000

The Honorable, The Senate:

As required by Article V, Section 6 of the Wisconsin Constitution, I am submitting the annual Executive Clemency report to the Legislature, covering those clemency cases upon which final dispositions were rendered for applicants during the calendar year 1999. The following applicants received full pardons in 1999:

Tammy Rae Kougl, convicted of Theft and sentenced on 6/23/86 to 5 years probation, restitution and costs, recommended by the Pardon Advisory Board by a vote of 5-0 to be granted a pardon, was granted a pardon on 7/23/99, because she is a productive member of society and otherwise deserving of extraordinary relief.

Tom H. Marquardt, convicted of Breaking and Entering and Theft and sentenced on 12/10/71 to 3 years prison for Breaking and Entering (stayed) and 1 year prison for Theft to be served concurrently (stayed), 2 years probation on each count to be served concurrently and costs, recommended by the Pardon Advisory Board by a vote of 5-0 to be granted a pardon, was granted a pardon on 7/23/99, because he is a productive member of society and otherwise deserving of extraordinary relief.

Kevin K. Mannel, convicted of Delivery of a Controlled Substance (Marijuana) and sentenced on 5/19/76 to 3 years prison (stayed), 3 years probation, and court costs, recommended by the Pardon Advisory Board by a vote of 5-0 to be granted a pardon, was granted a pardon on 7/23/99, because he is a productive member of society and otherwise deserving of extraordinary relief.

Douglas A. Watts, convicted of Burglary (Two Counts) and Criminal Damage to Property (two Counts-Misdemeanors) and sentenced on 9/13/82 to 3 years prison for each Burglary count to be served concurrently, and nine months prison for the Criminal Damage to Property counts to be served concurrent with the Burglary sentence, recommended by the Pardon Advisory Board by a vote of 5-0 to be granted a pardon, was granted a pardon on 7/23/99, because he is a productive member of society and otherwise deserving of extraordinary relief.

Diane M. Sailer, convicted of Possession and Sale of Dangerous Drugs (Amphetamines) and sentenced on 3/2/73 to 3 years probation, fees and costs, recommended by the Pardon Advisory Board by a vote of 3-2 to be granted a pardon, was granted a pardon on 9/28/99, because she is a productive member of society and otherwise deserving of extraordinary relief.

Gregory Gassen, convicted of 9 Counts of Party to the Crime of Delivery of a Controlled Substance and sentenced on 3/7/89 to 8 years prison followed by 6 years probation, recommended by the Pardon Advisory Board by a vote of 6-0 to be granted a pardon, was granted a pardon on 9/28/99, because he is a productive member of society and otherwise deserving of extraordinary relief.

George W. Rice, convicted of Aiding and Abetting Robbery and sentenced on 6/19/81 to 2 years probation, restitution, costs and apology to the victim, recommended by the Pardon Advisory Board by a vote of 5-1 to be granted a pardon, was granted a pardon on 9/28/99, because he is a productive member of society and otherwise deserving of extraordinary relief.

Patricia A. Proffitt, convicted of Forgery (Uttering) and sentenced on 12/16/69 to 3 years probation and convicted of Misdemeanor Retail Theft and sentenced on 2/9/90 to 1 year probation, recommended by the Pardon Advisory Board by a vote of 5-0 to be granted a pardon, was granted a pardon on

12/16/99, because she is a productive member of society and otherwise deserving of extraordinary relief.

David L. Mahkimetas, convicted Misdemeanor Battery (Domestic Violence) and sentenced on 3/31/93 to 18 months probation, 45 days jail, counseling, restitution, costs and fines, recommended by the Pardon Advisory Board by a vote of 3-2 to be granted a pardon, was granted a pardon on 12/16/99, because he is a productive member of society and otherwise deserving of extraordinary relief.

Sincerely,

TOMMY G. THOMPSON
Governor

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

Senate Clearinghouse Rule 00-015

Relating to the state public transit operating assistance program; to the use of fully allocated costs in the competitive bid process; and to allocation of federal public transit assistance program funds to urbanized areas under 200,000 population.

Submitted by Department of Transportation.

Report received from Agency, June 9, 2000.

Referred to committee on **Insurance, Tourism, Transportation and Corrections**, June 14, 2000.

Senate Clearinghouse Rule 00-049

Relating to transfer of prescription orders.

Submitted by Department of Regulation and Licensing.

Report received from Agency, June 13, 2000.

Referred to committee on **Health, Utilities, Veterans and Military Affairs**, June 14, 2000.

Senate Clearinghouse Rule 00-052

Relating to uniform procedures for checking the backgrounds of persons who apply to provide or are providing care or treatment to people who need that care or treatment, and for barring persons because of specified convictions, charges or findings substantially related to the care of clients from operating a service provider organization, providing care or treatment to the clients of a service provider or otherwise having contact with the clients of a service provider.

Submitted by Department of Health and Family Services.

Report received from Agency, June 9, 2000.

Referred to committee on **Health, Utilities, Veterans and Military Affairs**, June 14, 2000.

Senate Clearinghouse Rule 00-055

Relating to eligibility and entitlement for the family care benefit, application for the benefit, cost sharing requirements, standards for aging and disability resource centers and for care management organizations, protections of the rights of family care applicants and enrollees, recovery of correctly and incorrectly paid family care benefits, and requirements for hospitals, nursing homes, community-based residential facilities, residential care apartment complexes and adult family homes to provide information to certain patients, residents and prospective residents and to refer them to aging and disability resource centers.

Submitted by Department of Health and Family Services.

Report received from Agency, June 12, 2000.

Referred to committee on **Human Services and Aging**, June 14, 2000.

Senate Clearinghouse Rule 00-072

Relating to motor carrier safety requirements.

Submitted by Department of Transportation.

Report received from Agency, June 12, 2000.

Referred to committee on **Insurance, Tourism, Transportation and Corrections**, June 14, 2000.