

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

---

WEDNESDAY, May 30, 2001

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

**INTRODUCTION AND REFERENCE OF RESOLUTIONS AND JOINT RESOLUTIONS**

Read and referred:

**Senate Joint Resolution 37**

Relating to: Gary Watchke's retirement following an exemplary career as a legislative analyst in the service of the Wisconsin legislature.

By Senators Risser, Wirch, Rosenzweig, Burke, Panzer, Erpenbach, Cowles, Huelsman, Roessler, Grobschmidt, Harsdorf, Hansen and Baumgart; cosponsored by Representatives Krug, Suder, Pocan, Freese, Hahn, Starzyk, Travis, Ryba, Townsend, La Fave, Boyle, Wood, Owens, Miller, Bock, Ladwig, M. Lehman, J. Lehman, Huebsch, Berceau, Plale, Plouff, Jeskewitz, Powers, Lippert, Lassa, Sykora, Ott, Vrakas and Petrowski.

To committee on **Senate Organization**.

**INTRODUCTION, FIRST READING AND REFERENCE OF BILLS**

Read first time and referred:

**Senate Bill 194**

Relating to: county, city, town, and village authority to create local elections boards and to regulate the financing of campaigns for county, city, town, and village offices, duties of municipal and county boards of election commissioners, and granting rule-making authority.

By Senators Risser and Burke; cosponsored by Representatives Pocan, Berceau, Miller, Black, Boyle, Bock, La Fave, J. Lehman, Richards, Turner and Wasserman.

To committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform**.

**Senate Bill 195**

Relating to: eligibility for Wisconsin tuition grants.

By Senators M. Meyer, Risser, Robson and Rosenzweig; cosponsored by Representatives Johnsrud, Berceau, Schooff and Staskunas.

To committee on **Universities, Housing, and Government Operations**.

**Senate Bill 196**

Relating to: state fleet management and consideration of vehicle's fuel economy and safety ratings.

By Senators Risser, Burke, Roessler and Schultz; cosponsored by Representatives Ryba, Boyle, Ott and Berceau.

To committee on **Insurance, Tourism, and Transportation**.

**Senate Bill 197**

Relating to: participation in the Wisconsin retirement system for teaching assistants and project assistants employed by the University of Wisconsin System and making an appropriation.

By Senators Risser, Burke and Rosenzweig; cosponsored by Representatives Pocan, Boyle, Turner, Gronemus, Plale and Miller.

To joint survey committee on **Retirement Systems**.

**REPORT OF COMMITTEES**

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

**Senate Bill 120**

Relating to: increasing a school district's revenue limit by the amount spent for school security measures and granting rule-making authority.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 10 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Roessler, Darling, Lazich and Harsdorf.

Noes, 0 – None.

Passage as amended.

Ayes, 6 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson and Erpenbach.

Noes, 4 – Senators Roessler, Darling, Lazich and Harsdorf.

**Senate Bill 124**

Relating to: increasing revenue limits for increases in health insurance costs.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 10 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Roessler, Darling, Lazich and Harsdorf.

Noes, 0 – None.

Passage as amended.

Ayes, 6 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson and Erpenbach.

Noes, 4 – Senators Roessler, Darling, Lazich and Harsdorf.

**Senate Bill 153**

Relating to: authorizing a school board to increase the school district's revenue limit.

Passage.

Ayes, 7 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach and Roessler.

Noes, 3 – Senators Darling, Lazich and Harsdorf.

**Senate Bill 4**

Relating to: increasing a school district's revenue limit by the amount spent to initiate a school breakfast or school lunch program and requiring a report on pupil nourishment.

Passage.

Ayes, 6 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson and Erpenbach.

Noes, 4 – Senators Roessler, Darling, Lazich and Harsdorf.

**Senate Bill 69**

Relating to: state aid for special education and school age parents programs.

Passage.

Ayes, 8 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Roessler and Harsdorf.

Noes, 2 – Senators Darling and Lazich.

Richard Grobschmidt  
Chairperson

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

**Assembly Bill 274**

Relating to: supplemental medical assistance payments to reduce operating deficits of county, city, village, or town nursing homes and creating a medical assistance trust fund.

Introduction and adoption of Senate amendment 1.

Ayes, 8 – Senators Moen, Breske, Robson, Erpenbach, M. Meyer, Rosenzweig, S. Fitzgerald and Lazich.

Noes, 1 – Senator Cowles.

Concurrence as amended.

Ayes, 9 – Senators Moen, Breske, Robson, Erpenbach, M. Meyer, Rosenzweig, Cowles, S. Fitzgerald and Lazich.

Noes, 0 – None.

**Assembly Joint Resolution 35**

Relating to: supporting a women's health platform that recognizes serious inequities in the health prevention and treatment of women and calls for the elimination of these inequities to improve the health status of women in this state.

Introduction and adoption of Senate amendment 1.

Ayes, 5 – Senators Moen, Breske, Robson, Erpenbach and M. Meyer.

Noes, 4 – Senators Rosenzweig, Cowles, S. Fitzgerald and Lazich.

Concurrence as amended.

Ayes, 5 – Senators Moen, Breske, Robson, Erpenbach and M. Meyer.

Noes, 4 – Senators Rosenzweig, Cowles, S. Fitzgerald and Lazich.

BOHLMAN, JOHN P., of Boscobel, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 2005.

Confirmation.

Ayes, 9 – Senators Moen, Breske, Robson, Erpenbach, M. Meyer, Rosenzweig, Cowles, S. Fitzgerald and Lazich.

Noes, 0 – None.

HARPER, MURIEL J., of Beaver Dam, as a member of the Medical Examining Board, to serve for the interim term ending July 1, 2002, and for the full term ending July 1, 2006.

Confirmation.

Ayes, 9 – Senators Moen, Breske, Robson, Erpenbach, M. Meyer, Rosenzweig, Cowles, S. Fitzgerald and Lazich.

Noes, 0 – None.

HUBBELL, CHRIS L., of Eau Claire, as a member of the Optometry Examining Board, to serve for the term ending July 1, 2004.

Confirmation.

Ayes, 9 – Senators Moen, Breske, Robson, Erpenbach, M. Meyer, Rosenzweig, Cowles, S. Fitzgerald and Lazich.

Noes, 0 – None.

HULWI, JOSEPH M., of Eleva, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2005.

Confirmation.

Ayes, 9 – Senators Moen, Breske, Robson, Erpenbach, M. Meyer, Rosenzweig, Cowles, S. Fitzgerald and Lazich.

Noes, 0 – None.

KUPPERMAN, DR. GERARD L., of Oconomowoc, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2005.

Confirmation.

Ayes, 9 – Senators Moen, Breske, Robson, Erpenbach, M. Meyer, Rosenzweig, Cowles, S. Fitzgerald and Lazich.

Noes, 0 – None.

STEIL, GEORGE K., of Janesville, as a member of the University of Wisconsin Hospital and Clinics Authority, to serve for the term ending July 1, 2004.

Confirmation.

Ayes, 9 – Senators Moen, Breske, Robson, Erpenbach, M. Meyer, Rosenzweig, Cowles, S. Fitzgerald and Lazich.

Noes, 0 – None.

STEIL, GEORGE K., of Janesville, as a member of the University of Wisconsin Hospital and Clinics Board, to serve for the term ending July 1, 2004.

Confirmation.

Ayes, 9 – Senators Moen, Breske, Robson, Erpenbach, M. Meyer, Rosenzweig, Cowles, S. Fitzgerald and Lazich.

Noes, 0 – None.

SUTTER, SUSAN L., of Horicon, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 2005.

Confirmation.

Ayes, 9 – Senators Moen, Breske, Robson, Erpenbach, M. Meyer, Rosenzweig, Cowles, S. Fitzgerald and Lazich.

Noes, 0 – None.

THELEN, MICHAEL K., of Appleton, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2005.

Confirmation.

Ayes, 9 – Senators Moen, Breske, Robson, Erpenbach, M. Meyer, Rosenzweig, Cowles, S. Fitzgerald and Lazich.

Noes, 0 – None.

UNBEHAUN, RICK D., of Richland Center, as a member of the Funeral Directors Examining Board, to serve for the term ending July 1, 2005.

Confirmation.

Ayes, 9 – Senators Moen, Breske, Robson, Erpenbach, M. Meyer, Rosenzweig, Cowles, S. Fitzgerald and Lazich.  
Noes, 0 – None.

**Senate Bill 107**

Relating to: membership of the dentistry examining board.  
Passage.

Ayes, 9 – Senators Moen, Breske, Robson, Erpenbach, M. Meyer, Rosenzweig, Cowles, S. Fitzgerald and Lazich.  
Noes, 0 – None.

Rodney Moen  
Chairperson

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin**

May 23, 2001

The Honorable, The Senate:

I will be unable to attend the Joint Committee on Finance meeting of May 24, 2001. Therefore I am submitting my resignation from the committee.

I will be available to resume my position upon my return to Madison. If you have any questions, please do not hesitate to contact me.

Sincerely,

KIMBERLY M. PLACHE  
State Senator

**State of Wisconsin**

May 23, 2001

The Honorable, The Senate:

Pursuant to Senate Rule 20 (2)(a), I have appointed Senator Judy Robson to the Joint Committee on Finance.

Sincerely,

CHUCK CHVALA  
Chair, Committee on Senate Organization

**State of Wisconsin**

May 24, 2001

The Honorable, The Senate:

Pursuant to Senate Rule 20 (2)(a), I have appointed Senator Kim Plache to the Joint Committee on Finance, and removed Senator Judy Robson.

Sincerely,

CHUCK CHVALA  
Chair, Committee on Senate Organization

**THE STATE OF WISCONSIN  
OFFICE OF THE GOVERNOR**

**EXECUTIVE ORDER #12**

***Relating to the Creation of the Governor's Task force on Invasive Species***

**WHEREAS**, Wisconsin has some of the most beautiful lakes, rivers and forests in the nation; and

**WHEREAS**, the State's natural resources must be preserved and protected for future generations; and

**WHEREAS**, invasive species, both plant and aquatic, are harmful in that they disrupt Wisconsin's natural ecosystem; and

**WHEREAS**, in the year 2000 alone, economic losses and control measures cost more than \$138 billion in the United States;

**NOW, THEREFORE, I, Scott McCallum**, Governor of the State of Wisconsin, by virtue of the authority vested in me by the Constitution and laws of the State of Wisconsin, and specifically by Section 14.019 of the Wisconsin Statutes, do hereby:

1. Create the Governor's Advisory Task Force on Invasive Species (hereinafter referred to as the "Task Force"; and
2. Provide that the Task Force shall consist of not more than twenty (20) members appointed by the Governor to serve at the pleasure of the Governor; and
3. Provide that the Governor shall designate two (2) members of the Task Force as co-chairs to serve in that capacity at the pleasure of the Governor; and
4. Provide that the Task Force shall have the following mission:
  - a. Evaluate the severity of the induction and spread of invasive species in Wisconsin; and
  - b. Develop a statewide control plan to combat the induction and spread of invasive species; and
  - c. Identify and obtain federal funding to be used in the implementation of the statewide plan.
5. Require the Task Force to prepare and submit a report to the Governor detailing its findings and recommendations; and
6. Direct the Department of Administration to provide the Task Force with such sums of money as are necessary for the travel and operating expenses in accordance with Section 20.505(3)(a) of the Wisconsin Statutes; and
7. Provide that the Task Force dissolve upon the acceptance of its final report by the Office of the Governor.

**IN TESTIMONY WHERE OF**, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the city of Madison this twenty-third day of May in the year two thousand and one.

SCOTT McCALLUM  
Governor

*BY THE GOVERNOR:*

DOUGLAS LA FOLLETTE  
Secretary of State

**State of Wisconsin  
Office of the Commissioner of Insurance**

May 21, 2001

The Honorable, The Legislature:

In accordance with s. 601.427(9), Wis. Stats., I am pleased to submit this report to the Wisconsin Legislature. This report is to evaluate the impact that 1995 Wisconsin Act 10 has had on the following:

- (a) The number of health care providers practicing in Wisconsin.
- (b) The fees that health care providers pay under s. 655.27 (3), Wis. Stats.
- (c) The premiums that health care providers pay for health care liability insurance.

The evaluation performed included the collection and analysis of statistics regarding the number of health care providers and premiums charged for health care liability insurance. Analysis

of these statistics determined the only discernable effect on these areas has been an estimated \$60.8 million dollars in reductions of fees collected under s. 655.27 (3), Wis. Stats., over the last five years. However, it was further noted that loss experience to date is too immature to validate the reduction.

The attached report provides information regarding the background of Act 10, the statistics collected and the analysis performed.

Sincerely,

CONNIE L. O'CONNELL

Commissioner

**State of Wisconsin  
Legislative Audit Bureau**

May 29, 2001

The Honorable, The Legislature:

We have completed an evaluation of the administration of the 0.5 percent county sales and use tax, as requested by the Joint Legislative Audit Committee. This tax is levied on the same goods and services affected by the State's 5.0 percent sales and use tax. The Department of Revenue administers the tax on behalf of the counties and retains 1.75 percent of the collections, as prescribed by s. 77.76(4) Wis. Stats. During calendar year 2000, the Department distributed \$215.2 million to 53 counties that imposed the tax.

The \$215.2 million that was distributed to counties in 2000 included a delayed distribution of \$13.0 million, which the counties should have received in January and February 2000 but which they did not receive until June 2000. The delay occurred because the Department did not have adequate procedures in place to ensure that all tax returns were fully processed and included in distributions to counties. We also found that the 90- to 180-day time limit for distributing county sales and use tax revenues prescribed by Wisconsin Statutes is longer than limits established by other states, and improvements in business practices and technological advances enable the Department to process returns and distribute funds to counties in significantly less time than statutory time limits allow. Therefore, we have included a recommendation that the Legislature reduce the time period for distributing county sales and use taxes to county governments.

In fiscal year (FY) 1999-2000, the Department retained \$3.9 million in administrative fees from county sales and use taxes. In reviewing the Department's time reporting system, we found that administrative fees supported 10.38 more full-time equivalent positions that were reportedly used to administer the county sales and use tax. Wisconsin's administrative fee is the second-highest among surrounding midwestern states and generates more revenue than the Department spends to administer the tax. In FY 1999-2000, \$931,600 in county sales and use tax administrative fees lapsed to the General Fund.

Funding from the administrative fee is used to support the Department's new Integrated Tax System (ITS). The administrative fee is expected to support \$8.8 million of the system's total costs, which are projected to be \$78.0 million. The amount of ITS costs to be funded by the county sales and use tax administrative fee appears to have been based on the unencumbered funds available in the appropriation for administration of the tax, rather than on an analysis of system costs and benefits.

We appreciate the courtesy and cooperation extended to us by the Department of Revenue. The Department's response is Appendix 2.

Sincerely,

JANICE MUELLER

State Auditor

**State of Wisconsin  
Ethics Board**

May 29, 2001

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 2001 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us/>

Boyce, Catherine	<b>American Heart Association</b>		
Buchberger, Paul	<b>Wausau Benefits Inc</b>		
Gardon, Peter	<b>Calpine</b>		
Higgins, Anthony	<b>American</b>	<b>Education</b>	<b>Reform</b>
	<b>Foundation</b>		
Mitchell, Susan	<b>American</b>	<b>Education</b>	<b>Reform</b>
	<b>Foundation</b>		
Morgan, Lynn	<b>American Heart Association</b>		
Schultz–Thuot, Gretchen	<b>Wausau Benefits Inc</b>		
Strohl, Joseph	<b>TDS Telecom Inc</b>		
Theo, Peter	<b>Menominee</b>	<b>County</b>	<b>Taxpayers</b>
	<b>Association</b>		

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 organizations that employ lobbyists.

Sincerely,

ROTH JUDD

Director

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

**Senate Clearinghouse Rule 00–169**

Relating to health benefit plan grievance requirements and independent review organizations.

Submitted by Office of the Commissioner of Insurance.

Report received from Agency, May 24, 2001.

Referred to committee on **Insurance, Tourism, and Transportation**, May 30, 2001.

**Senate Clearinghouse Rule 01–008**

Relating to hunting, trapping and captive wildlife.

Submitted by Department of Natural Resources.

Report received from Agency, May 29, 2001.

Referred to committee on **Environmental Resources**, May 30, 2001.

**Senate Clearinghouse Rule 01–012**

Relating to fishing on the inland, outlying and boundary waters of Wisconsin and fish rearing pond grants.

Submitted by Department of Natural Resources.

Report received from Agency, May 29, 2001.

Referred to committee on **Environmental Resources**, May 30, 2001.

**Senate Clearinghouse Rule 01-013**

Relating to sport fishing on the inland, outlying and boundary waters and fish refuges on the inland waters of Wisconsin.

Submitted by Department of Natural Resources.

Report received from Agency, May 29, 2001.

Referred to committee on **Environmental Resources**, May 30, 2001.

**Senate Clearinghouse Rule 01-022**

Relating to resources for inmates.

Submitted by Department of Corrections.

Report received from Agency, May 24, 2001.

Referred to committee on **Economic Development and Corrections**, May 30, 2001.

**Senate Clearinghouse Rule 01-040**

Relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways.

Submitted by Department of Transportation.

Report received from Agency, May 23, 2001.

Referred to committee on **Insurance, Tourism, and Transportation**, May 30, 2001.

**Senate Clearinghouse Rule 01-041**

Relating to investments in development companies.

Submitted by Department of Financial Institutions.

Report received from Agency, May 23, 2001.

Referred to committee on **Privacy, Electronic Commerce and Financial Institutions**, May 30, 2001.

**Senate Clearinghouse Rule 01-056**

Relating to investments in development companies.

Submitted by Department of Financial Institutions.

Report received from Agency, May 23, 2001.

Referred to committee on **Privacy, Electronic Commerce and Financial Institutions**, May 30, 2001.

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

**Senate Clearinghouse Rule 00-181**

Relating to worker's compensation insurer name change or reorganization.

No action taken.

**Senate Clearinghouse Rule 01-015**

Relating to grants to ethanol producers.

No action taken.

David Hansen  
Chairperson

**LEGISLATIVE REFERENCE BUREAU  
CORRECTIONS**

**CORRECTIONS IN:**

**2001 SENATE BILL 47**

Prepared by the Legislative Reference Bureau  
(May 23, 2001)

1. Page 2, line 20: delete "beginning on" and substitute "beginning after".

**CORRECTIONS IN:**

**2001 SENATE BILL 151**

Prepared by the Legislative Reference Bureau  
(May 24, 2001)

2. Page 20, line 19: delete "1999 stats." and substitute "1999 stats.".