

STATE OF WISCONSIN

Senate Journal

Ninety–Fifth Regular Session

WEDNESDAY, August 22, 2001

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

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 235

Relating to: requiring instruction in public schools on the history of organized labor in America and the collective bargaining process.

By Senators Shibilski, Plache, Wirsch, Hansen, Decker and Burke; cosponsored by Representatives J. Lehman, Schooff, Sinicki, Kreuser, Plouff, Meyerhofer, Steinbrink, Richards, Balow, Bock, Boyle, Berceau, Pocan, Black, Turner, La Fave, Sherman and Lassa.

To committee on **Education**.

PETITIONS AND COMMUNICATIONS

THE STATE OF WISCONSIN OFFICE OF THE GOVERNOR

EXECUTIVE ORDER #21

Directing the Public Service Commission to Redirect Funds Intended to Provide Voice Mail Services for the Homeless

WHEREAS, the Wisconsin Legislature recently passed the 2001-2003 Wisconsin State Budget Bill (hereinafter "Budget"); and

WHEREAS, the Budget therein contains a provision and appropriation for the Public Service Commission (hereinafter "PSC") for the expenditure of \$6.9 Million from the PSC's Universal Service Fund (hereinafter "USF"); and

WHEREAS, as part of this \$6.9 Million appropriation the PSC is instructed to expend \$40,000 to establish and support the use of voice mail by homeless persons;

NOW, THEREFORE, I SCOTT McCALLUM, Governor of the State of Wisconsin, by the authority vested in me by Federal and State law, do hereby:

1. Direct the PSC to not expend any funds over this biennium for the funding of voice mail for the homeless.
2. Direct the PSC to redirect, where permissible under the laws of Wisconsin, such monies for the purpose of funding programs that serve to provide food, shelter, health care or other related services to homeless persons.
3. Direct the PSC, in accordance with its authority, to suspend any administrative rule or provision providing for the funding of voice mail service for the homeless.

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 seventeenth day of August 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 Governor

August 17, 2001

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 58	Wisconsin Act 14	August 17, 2001
Senate Bill 10	Wisconsin Act 15	August 17, 2001

Sincerely,

SCOTT MCCALLUM
Governor

State of Wisconsin
Department of Health and Family Services

August 10, 2001

The Honorable, The Senate:

As required in Sections 227.485(9) and 814.245(10) of the Wis. Stats., I am submitting the report concerning decisions and resulting payments of attorney fees and related legal costs. Attorney fees and other legal costs are to be paid whenever the opposing party to an agency's Chapter 227 hearing prevails and it is determined the agency's position was not substantially justified. Payments for SFY 2001 are shown on the attached schedule.

In addition, the Department is required to report any awards granted to the Department regarding frivolous motions brought against this Department. If the hearing examiner determines that the motion of the opposing party in any Chapter 227 contested case is frivolous, the examiner may award the state agency all reasonable costs in responding to the motion. In SFY 2001, no motions of opposing parties were found to be frivolous. Consequently, the Department has no awards to report.

Sincerely,

PHYLLIS DUBE
Secretary

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

August 13, 2001

The Honorable, The Senate:

The Bureau of Health Information, Department of Health and Family Services, is pleased to submit to the Governor and the Legislature the *Annual Health Care Data Report, 1998*. The data for this report were collected under section 153.05, Wisconsin Statutes, and are published as authorized by the requirements of section 120.20, Wisconsin Administrative Code.

This report is based on data reported quarterly to the Bureau of Health Information by all operating general medical-surgical and specialty hospitals and Medicare-certified, freestanding ambulatory surgery centers in Wisconsin. It presents a summary of data on utilization and charges at those facilities in 1998.

Sincerely,

PHYLLIS J. DUBE
Secretary

**State of Wisconsin
Ethics Board**

August 21, 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/>

Bentley, Marc S **Freight, Lime & Sand Hauling Inc.**
Boyce, Catherine **Curative Rehabilitation Services**
Cole, Darnell **Milwaukee Area Technical College**
Julius, Buddy **Ameritech (Wis Bell Inc)**

McCoshen, William J **Development Association Inc,
The**

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 01-070

Relating to the allocation of volume cap on tax-exempt private activity bonds.

Submitted by Department of Commerce.

Report received from Agency, August 16, 2001.

Referred to committee on **Universities, Housing, and Government Operations**, August 22, 2001.

Senate Clearinghouse Rule 01-071

Relating to the scheduling of dihydroetorphine under ch. 961, Stats., the uniform controlled substances act.

Submitted by Department of Regulation and Licensing.

Report received from Agency, August 17, 2001.

Referred to committee on **Health, Utilities, Veterans and Military Affairs**, August 22, 2001.

Senate Clearinghouse Rule 01-078

Relating to the teacher education loan program.

Submitted by Higher Educational Aids Board.

Report received from Agency, August 21, 2001.

Referred to committee on **Universities, Housing, and Government Operations**, August 22, 2001.

Senate Clearinghouse Rule 01-079

Relating to the teacher of the visually impaired loan program.

Submitted by Higher Educational Aids Board.

Report received from Agency, August 21, 2001.

Referred to committee on **Universities, Housing, and Government Operations**, August 22, 2001.

The committee on **Environmental Resources** reports and recommends:

Senate Clearinghouse Rule 01-002

Relating to control of particulate matter emissions.

No action taken.

Senate Clearinghouse Rule 01-030

Relating to the cooperating forester program and private forestry priorities for assistance.

No action taken.

Senate Clearinghouse Rule 01-036

Relating to administration of the forest crop law and the managed forest law.

No action taken.

Jim Baumgart
Chairperson

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

Senate Clearinghouse Rule 01-034

Relating to seals and stamps.

No action taken.

Mark Meyer
Chairperson

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 209** offered by Senator Risser.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

Authorized by the President of the Senate, pursuant to Joint Rule 56(3).

CORRECTIONS IN:

2001 SENATE BILL 55

Prepared by the Legislative Reference Bureau
(August 17, 2001)

In enrolling, the following correction was made:

Conference Amendment 1 to Senate Substitute
Amendment 1 to Senate Bill 55:

1. Page 539, line 2: delete "0.78" and substitute "0.78%".