

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

---

WEDNESDAY, October 9, 2002

---

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

**PETITIONS AND COMMUNICATIONS**

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

**EXECUTIVE ORDER 57**

*Relating to an amendment of Executive Order No. 52*

**WHEREAS**, Wisconsin identified the need to address land use, water quality, transportation and environmental issues on a regional basis more than 40 years ago by authorizing the creation of regional planning commissions; and

**WHEREAS**, all but six of Wisconsin's 72 counties participate in multi-county regional planning commissions, which have proven to be a valuable resource for local and state government in identifying emerging trends that must be addressed through sound planning; and

**WHEREAS**, the only counties in Wisconsin that are not included in a multi-county regional planning commission are the five counties that border Dane County, specifically, Sauk, Dodge, Columbia, Jefferson and Rock counties; and

**WHEREAS**, the Dane County Regional Planning Commission is the only regional planning commission in Wisconsin that serves only one county rather than a region; and

**WHEREAS**, the Dane County Regional Planning Commission was created by [1970 Executive Order 22](#) by Governor Warren Knowles; and

**WHEREAS**, the inclusion of only one county in the Dane County Regional Planning Commission led to concerns being expressed by towns and small communities in Dane County that the Commission was unfairly dominated by the urban areas of the county; and

**WHEREAS**, these concerns have grown over time, and resulted in the 1998 adoption of resolutions by 35 communities in Dane County that invoked their right under the statutes to dissolve the Dane County Regional Planning Commission and to withdraw their communities from the jurisdiction of the Dane County Regional Planning Commission; and

**WHEREAS**, certified copies of all 35 resolutions were filed with the Office of the Governor in August 1998 and have been found to be in proper form; and

**WHEREAS**, upon receipt of the petitions from a majority of the municipalities in the region and on the finding that adequate provisions have been made for the payment of the debts and outstanding expenses for the regional planning commission the Governor is mandated to dissolve the commission; and

**WHEREAS**, in [1999 Wisconsin Act 9](#), section [9158\(8w\)\(e\)](#) the Legislature directed that the Dane Count

Regional Planning Commission would be dissolved at the latest on October 1, 2002; and

**WHEREAS**, the Legislature in [1999 Wisconsin Act 9](#), section [9121\(1w\)](#) directed the Governor to appoint a task force to study and make recommendations regarding the creation of a multi-county regional planning commission to replace the Dane County Regional Planning Commission after its dissolution; and

**WHEREAS**, the chair of the Task Force has now reported to me by letter dated August 8, 2002, indicating that the work of the Task Force is completed, and on the basis of its review, recommended dissolution of the Dane County Regional Planning Commission; and

**WHEREAS**, I found that adequate provisions have been made for the payment of the debts and outstanding expenses of the Dane County Regional Planning Commission and that these provisions were not clearly understood by some individuals; and

**NOW, THEREFORE, I SCOTT McCALLUM**, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the laws of this State, do hereby:

Reiterate that adequate provisions have been made for the payment of the debts and outstanding expenses of the Dane County Regional Planning Commission and list those provisions below.

1. In [1999 Wisconsin Act 9](#) the Legislature made provisions for the dissolution of the Dane County Regional Planning Commission.

2. Those provisions were, "All unexpended funds of the commission on that date [date of dissolution] shall be applied to any outstanding indebtedness of the commission. If any outstanding indebtedness of the commission remains after the application of the unexpended funds to such debts, the remaining indebtedness shall be assessed to Dane County. If the commission has no outstanding indebtedness and has unexpended funds, such funds shall be returned to the cities, villages, towns or county that supplied them."

3. I found the plan, which was accepted by the Legislature, to be an adequate plan for any debts or funds of the Commission.

**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 27th day of September in the year two thousand and two.

SCOTT McCALLUM  
Governor

BY THE GOVERNOR:

DOUGLAS LA FOLLETTE  
Secretary of State

**State of Wisconsin  
University of Wisconsin Hospital and Clinics**

October 1, 2002

The Honorable, The Senate:

On behalf of the University of Wisconsin Hospital and Clinics Authority, I am pleased to submit the enclosed report as required under section 233.04(1) *Wisconsin Statutes*. The University of Wisconsin Hospital and Clinics 2001-2002 annual Report outlines our Strategic Plan – related 2001-2002 accomplishments and 2002-2003 goals. Although we continue to face challenges related to staffing, cost containment and access, UWHC is meeting its mission of patient care, education, research and community service in a manner consistent with expectations for an academic medical center associated with a great research university.

Through a host of *bests* as ranked by national data, we retain our leadership position among the best hospitals in the nation, emphasizing patient safety, clinical excellence and technical innovation. In addition, UWHC has made significant progress toward becoming the health care employer of choice in the Dane County area.

If you have any questions or need further information, please don't hesitate to contact me at 608-263-5800. Printed copies of this report, along with a new brochure about UWHC people and services, will be distributed to general audiences within the next six weeks.

Sincerely,

LINDA G. BREI  
Vice President, Marketing and Public Affairs

**State of Wisconsin  
Department of Administration  
Department of Natural Resources**

October 1, 2002

The Honorable, The Senate:

Attached to this letter is the Environmental Improvement Fund Biennial Finance Plan for the 2003-2005 biennium.

Environmental Improvement Fund program legislation (s.281.59(3), Wis. Stats.) requires the Department of Natural Resources and the Department of Administration to submit the first version of the Biennial Finance Plan to the Legislature and to the State Building Commission. The purpose of the plan is to provide information on loan, loan subsidy, and bonding levels for program operations in the 2003-2005 biennium.

If you have any questions regarding the Biennial Finance Plan or the Biennial Report, please contact Kathryn A. Curtner at 266-0860 or Frank R. Hoadley at 266-2305.

Sincerely,

KATHRYN A. CURTNER, Director  
Bureau of Community Financial Assistance  
Department of Natural Resources

FRANK R. HOADLEY  
Capital Finance Director  
Department of Administration

**State of Wisconsin  
Ethics Board**

October 8, 2002

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/>

|                    |  |
|--------------------|--|
| Broydrick, William | <b>School District of Waukesha</b>                 |
| Holschbach, Todd   | <b>Nature Conservancy – Wisconsin Chapter, The</b> |
| Lester, Joelle     | <b>Wisconsin Association of School Boards Inc</b>  |
| McIntosh, Forbes   | <b>School District of Waukesha</b>                 |
| Murphy, Michael R  | <b>Humana Inc</b>                                  |
| Prentiss, Michael  | <b>Elevator Industry Work Preservation Fund</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**

The joint committee for **review of Administrative Rules** reports and recommends:

**Senate Clearinghouse Rule 00–164**  
relating to wetland compensatory mitigation.  
Report concurrence in objection, Ayes 7, Noes 3.  
Ayes, 7 – Senators Robson, Grobschmidt, Hansen and Cowles. Representatives Seratti, Turner and Hebl.  
Noes, 3 – Senator Welch. Representatives Grothman and Gunderson.

Judith Robson  
Senate Chairperson

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

**Senate Clearinghouse Rule 01–069**  
Relating to testing of pupils with limited–English proficiencies and disabilities.  
No action taken.

**Senate Clearinghouse Rule 02–107**  
Relating to the children at risk program.  
No action taken.

Richard Grobschmidt  
Chairperson

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

**Senate Clearinghouse Rule 01–134**  
Relating to a pharmacy internship program.  
No action taken.

**Senate Clearinghouse Rule 02–008**  
Relating to defining failing to cooperate in a timely manner in an investigation as unprofessional conduct.  
No action taken.

**Senate Clearinghouse Rule 02–021**  
Relating to the scheduling of examinations.  
No action taken.

**Senate Clearinghouse Rule 02–025**  
Relating to classifying dichloralphenazone as a schedule IV controlled substance under federal law.  
No action taken.

**Senate Clearinghouse Rule 02-027**

Relating to customer satisfaction surveys for municipal utilities and technical corrections.

No action taken.

**Senate Clearinghouse Rule 02-035**

Relating to annual patients compensation fund and mediation fund fees for the fiscal year beginning July 1, 2002 and relating to the Wisconsin health care insurance plan's primary limits.

No action taken.

**Senate Clearinghouse Rule 02-055**

Relating to defining sexual contact with a patient as unprofessional conduct.

No action taken.

**Senate Clearinghouse Rule 02-070**

Relating to reimbursement for treatment of chronic renal disease; to reimbursement for blood products and supplies used in the home care of hemophilia; and to reimbursement for treatment of persons with cystic fibrosis.

No action taken.

**Senate Clearinghouse Rule 02-083**

Relating to operation of the health insurance risk-sharing plan (HIRSP).

No action taken.

**Senate Clearinghouse Rule 02-091**

Relating to grants to counties that are not served by transportation services provided by the Wisconsin department

of disabled american veterans for the purpose of developing, maintaining, and expanding transportation services.

No action taken.

**Senate Clearinghouse Rule 99-009**

Relating to criteria and procedures for reimbursement of interpreting services for persons who are deaf or hard of hearing.

No action taken.

Rodney Moen  
Chairperson

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

**Senate Clearinghouse Rule 02-067**

Relating to applications, examinations, experience, education, renewal requirements and unprofessional conduct with regard to real estate appraisers.

No action taken.

**Senate Clearinghouse Rule 02-100**

Relating to grants for information technology development projects and for energy development and demonstration projects.

No action taken.

**Senate Clearinghouse Rule 99-101**

Relating to communication services.

No action taken.

Mark Meyer  
Chairperson