



STATE OF WISCONSIN

Senate Journal

Ninety–Sixth Regular Session

10:12 A.M.

TUESDAY, June 17, 2003

The Senate met.

The Senate was called to order by Senator Robert Welch.

The Chair, with unanimous consent, asked that the proper entries be made in the journal.

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated **June 16, 2003** :

The committee on **Agriculture, Financial Institutions and Insurance** reports and recommends:

Assembly Bill 2

Relating to: credit union membership, powers, operation, and regulation; the application of agriculture, trade, and consumer protection statutes to credit unions; the creation of a new type of financial institution; the powers of and requirements applicable to the new type of financial institution; the discharge of governmental liens under the Uniform Commercial Code; providing an exemption from emergency rule procedures; granting rule-making authority; and providing a penalty.

Introduction and adoption of Senate Substitute Amendment 1.

Ayes, 3 – Senators Schultz, Brown and Kedzie.
Noes, 2 – Senators Hansen and Lassa.

Introduction and adoption of Senate Amendment 1 to Senate Substitute Amendment 1.

Ayes, 4 – Senators Schultz, Brown, Kedzie and Lassa.
Noes, 1 – Senator Hansen.

Introduction and adoption of Senate Amendment 2 to Senate Substitute Amendment 1.

Ayes, 4 – Senators Schultz, Brown, Kedzie and Lassa.
Noes, 1 – Senator Hansen.

Concurrence as amended.

Ayes, 3 – Senators Schultz, Brown and Kedzie.
Noes, 2 – Senators Hansen and Lassa.

Dale Schultz
Chairperson

The committee on **Economic Development, Job Creation and Housing** reports and recommends:

NETTLES, CORY, of Whitefish Bay, as Secretary of the Department of Commerce, to serve for the term ending at the pleasure of the Governor.

Confirmation.

Ayes, 5 – Senators Stepp, Roessler, Brown, Moore and Plale.
Noes, 0 – None.

Senate Bill 188

Relating to: extending the expenditure period and the life of tax incremental districts in Kenosha.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Stepp, Roessler, Brown, Moore and Plale.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Stepp, Roessler, Brown, Moore and Plale.

Noes, 0 – None.

Senate Bill 197

Relating to: single sales factor apportionment of income for corporate income tax and franchise tax purposes and granting rule-making authority.

Introduction of Senate Substitute Amendment 1.

Ayes, 5 – Senators Stepp, Roessler, Brown, Moore and Plale.

Noes, 0 – None.

Adoption of Senate Substitute Amendment 1.

Ayes, 5 – Senators Stepp, Roessler, Brown, Moore and Plale.

Noes, 0 – None.

Passage as amended.

Ayes, 4 – Senators Stepp, Roessler, Brown and Plale.
Noes, 1 – Senator Moore.

Cathy Stepp
Chairperson

The joint committee on **Finance** reports and recommends:

Senate Bill 44

Relating to: state finances and appropriations, constituting the executive budget act of the 2003 legislature.

Introduction and adoption of Senate Substitute Amendment 1.

Ayes, 12 – Senators Darling, Welch, S. Fitzgerald, Lazich, Harsdorf and Kanavas. Representatives Kaufert, Huebsch, Ward, Stone, Rhoades and D. Meyer.

Noes, 4 – Senators Decker and Moore. Representatives Cogs and Schooff.

Passage as amended.

Ayes, 12 – Senators Darling, Welch, S. Fitzgerald, Lazich, Harsdorf and Kanavas. Representatives Kaufert, Huebsch, Ward, Stone, Rhoades and D. Meyer.

Noes, 4 – Senators Decker and Moore. Representatives Cogs and Schooff.

Alberta Darling
Senate Chairperson

The committee on **Judiciary, Corrections and Privacy** reports and recommends:

Assembly Bill 288

Relating to: identity theft, unlawful use of an entity's identification documents or identifying information, false statements to financial institutions, and access by law enforcement agencies to driver's license and state identification card photographs and providing penalties.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

Concurrence as amended.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

FRANK, MATTHEW, of Middleton, as Secretary of the Department of Corrections, to serve for the term ending at the pleasure of the Governor.

Confirmation.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

WELLS, LENARD, of Milwaukee, as Chair of the Parole Commission, to serve for the term ending March 1, 2005.

Confirmation.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

Senate Bill 198

Relating to: an exemption from requirements for nonmetallic mining reclamation.

By Senators Schultz, A. Lasee and Welch; cosponsored by Representatives Albers, Musser, Gronemus, Owens, Ainsworth, Hahn, Grothman, Hines and Kestell.

To committee on **Environment and Natural Resources**.

Senate Bill 199

Relating to: requiring state agencies, political subdivisions, and housing, redevelopment, and community development authorities, as well as subsidy recipients, to report on subsidies provided to businesses; requiring certain disclosures by business subsidy applicants; prohibiting business subsidies under certain circumstances; requiring the Legislative Audit Bureau to publish a report on business subsidies and to evaluate their effectiveness; defining a full-time job for purposes of development zone tax credits; altering eligibility requirements for development zone and technology zone tax credits; and providing a penalty.

By Senators Hansen, Robson, Chvala, Risser, Carpenter and Wirch; cosponsored by Representatives Miller, Musser, Berceau, J. Lehman, Krug, Black, Pocan, Shilling, Zepnick, Turner, Cullen, Plouff and Morris.

To committee on **Economic Development, Job Creation and Housing**.

Senate Bill 200

Relating to: chelation therapy.

By Senator Schultz; cosponsored by Representatives Albers, Seratti and Van Roy.

To committee on **Health, Children, Families, Aging and Long Term Care**.

REPORT OF COMMITTEES

The committee on **Homeland Security, Veterans and Military Affairs and Government Reform** reports and recommends:

Senate Bill 170

Relating to: the Veterans Mortgage Loan Program, veterans tuition and fee reimbursement, authority for the Department of Veterans Affairs to acquire a headquarters building, departmental delivery of services to veterans, veterans personal loans, eligibility for burial at a veterans cemetery, part-time study grants for veterans, housing loans for veterans, mortgage loan repayment fund, grants to county veteran service offices, national guard tuition grants, granting rule-making authority, and making an appropriation.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Brown, Zien, S. Fitzgerald, Wirch and Breske.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Brown, Zien, S. Fitzgerald, Wirch and Breske.

Noes, 0 – None.

Ronald Brown
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Legislative Audit Bureau

June 13, 2003

The Honorable, The Legislature:

Earlier this year, we completed our fiscal year 2001-02 single audit and issued our report (03-5). During the course of our audit and subsequent follow-up, we identified over \$2.0 million available to the General Fund from other funds and accounts that the Legislature may wish to consider during the current 2003-05 budget deliberations.

First, we identified a bank account holding over \$1,090,000 related to Wisconsin Health Education Assistance Loan (WHEAL) revenue bonds. This account is no longer needed because the bonds have been fully repaid. If desired, the Legislature could direct the Higher Educational Aids Board, which administers the loan program, to close the account and transfer the balance, as well as any future student loan repayments, to the General Fund for general appropriations.

Second, the Department of Corrections receives federal foster care funds as reimbursement for costs incurred in caring for certain juveniles in its custody. Because these costs were either originally funded by general purpose revenues or by other program revenue sources, the Department should have lapsed the federal reimbursements to the General Fund. However, for fiscal year 2001-02, it credited a net amount of \$456,000 in federal foster care reimbursement for administrative costs to one of its own program revenue appropriations. If desired, the Legislature could direct the Department of Corrections to lapse \$456,000 to the General Fund and make these funds available for general appropriation.

Third, each biennium, the Board of Commissioners of Public Lands receives approximately \$400,000 from the sale of timber on land owned by the Normal School Fund. The Board accounts for timber sales as additions to the Normal School Fund. If the Legislature believes that timber sales should be treated in the same manner as interest income of the Normal School Fund, it could amend the statutes to direct the Board to credit timber revenues to the General Fund to be made available for appropriation.

Finally, **2001 Wisconsin Act 16** directed the Department of Administration to sell two aircraft and deposit the sales proceeds to the General Fund. The Department sold two aircraft during fiscal year 2001-02 for \$82,412. However, it deposited the sales proceeds to one of its own program revenue appropriations. The Legislature could direct the Department to account for these sales proceeds as general purpose revenues of the General Fund.

A more detailed explanation of these available funds is attached. We hope that you find this information useful. If you have any questions or comments, please contact me.

Sincerely,

JANICE MUELLER
State Auditor

**State of Wisconsin
Ethics Board**

June 17, 2003

To 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	Dental Associates Ltd
Broydrick, William	Dental Associates Ltd
Carey, Ray	America Online Inc
Early, Annie	Forest County Potawatomi Community
Evert, Fred	WEA Insurance Corporation
Francisco, Gene	Wisconsin Professional Loggers Association
Hoven, Timothy	Midwest Independent Transmission System Operator Inc
Liebe, Thomas	Dental Associates Ltd
Mlynarczyk, Mark	MedImmune Inc
Nelson, Ruthann	Wisconsin State Telephone Cooperatives Association
Weeks, Brian	AFSCME International

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,

R. ROTH JUDD
Director

ADVICE AND CONSENT OF THE SENATE
State of Wisconsin
Office of the Governor

June 13, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MUNRO, IAN, of Green Bay, as a member of the Medical Examining Board, to serve for the term ending July 1, 2007.

Sincerely,
JIM DOYLE
Governor

Read and referred to committee on **Health, Children, Families, Aging and Long Term Care.**

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

Senate Clearinghouse Rule 02-058

Relating to cutting, disinfectants, disinfection, massaging, delegated medical procedures, body piercing, tattooing, tanning booths, managers, relocation of establishments, sterilization and forfeitures.

Submitted by Department of Regulation and Licensing.

Report received from Agency, June 13, 2003.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, June 17, 2003.

The committee on **Environment and Natural Resources** reports and recommends:

Senate Clearinghouse Rule 02-144

Relating to commercial fishing in Lake Michigan.

No action taken.

Neal Kedzie
Chairperson

**SECOND READING AND AMENDMENTS
OF SENATE JOINT RESOLUTIONS AND
SENATE BILLS**

Senate Bill 197

Relating to: single sales factor apportionment of income for corporate income tax and franchise tax purposes and granting rule-making authority.

Read a second time.

Senator Welch, with unanimous consent, asked that **Senate Bill 197** be referred to the Joint Committee on **Finance**.

ADJOURNMENT

Senator Welch, with unanimous consent, asked that the Senate adjourn until Wednesday, June 18 at 9:00 A.M..

Adjourned.

10:13 A.M.