

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

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WEDNESDAY, August 6, 2003

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

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

Read and referred:

**Senate Bill 224**

Relating to: operating a vehicle or operating or going armed with a firearm after using certain controlled substances and providing penalties.

By Senators Harsdorf, Lazich, Lassa, Roessler, Kanavas, Darling, S. Fitzgerald, Stepp, Leibham, Kedzie, Reynolds and A. Lasee; cosponsored by Representatives Gundrum, Suder, Ziegelbauer, Staskunas, Kerkman, Krusick, Vukmir, Gronemus, LeMahieu, Turner, Ward, Towns, Petrowski, Olsen, Ainsworth, Weber, Nass, Ladwig, Hines, Ott, Gunderson, J. Fitzgerald, Van Roy, M. Lehman, Freese, Friske, Gielow, Rhoades, Vrakas, Pettis, Albers and Krawczyk, by request of Bill and Michelle Logemann, parents of Baby Luke.

To committee on **Judiciary, Corrections and Privacy**.

**REPORT OF COMMITTEES**

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

**Senate Bill 185**

Relating to: sale of halal food.

Passage.

Ayes, 5 – Senators Schultz, Brown, Kedzie, Hansen and Lassa.

Noes, 0 – None.

Dale Schultz  
Chairperson

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Office of the Governor**

August 5, 2003

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>
<b>Senate Bill 173</b>	<b>Wisconsin Act 38</b>	August 5, 2003

Sincerely,  
JIM DOYLE  
Governor

**State of Wisconsin  
Office of the Governor**

July 31, 2003

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>
<b>Senate Bill 197</b>	<b>Wisconsin Act 37</b>	July 31, 2003

Sincerely,  
JIM DOYLE  
Governor

**State of Wisconsin  
Office of the Secretary of State**

To the Honorable, the Senate:

<u>Bill, Joint Reso- lution or Resolu- tion Number</u>	<u>Act Number or En- rolled Number</u>	<u>Publication Date</u>
<b>Senate Bill 197</b>	Wisconsin Act 37	August 14, 2003

Sincerely,  
DOUGLAS LA FOLLETTE  
Secretary of State

**State of Wisconsin  
Department of Revenue**

July 31, 2003

The Honorable, The Legislature:

This is to inform you that the Department of Revenue is continuing to work on the report for the Renew Wisconsin Performance Review Councils as required under s. [66.0315\(7\)\(c\)](#). However, we would like to have additional time to conduct a thoughtful and thorough review of the information submitted by the three local governments who have created councils.

The additional time will also enable the Department to develop recommendations on how to proceed with the work of the Performance Review Councils. We will plan to submit our report to you no later than Friday, October 3, 2003.

Please feel free to contact Mr. James Gultry, Administrator of the Division of State and Local Finance, at 266-0939 should you have any questions or concerns regarding this matter.

Sincerely,  
MICHAEL L. MORGAN  
Secretary

**State of Wisconsin  
Legislative Audit Bureau**

July 30, 2003

The Honorable, The Legislature:

As requested by the Public Service Commission (PSC), we have completed a financial audit of the universal Service Fund, which was established to ensure that all state residents receive essential telecommunications services and have access to advanced telecommunications capabilities. Our audit report contains our unqualified opinion on the Fund's financial statements and related notes for the fiscal years ending June 30, 2002 and 2001.

The Universal Service Fund is funded through assessments on telecommunications providers, which totaled \$22.3 million in fiscal year (FY) 2001-02. The largest program supported by the Fund is the Educational Telecommunications Access Program, which has been administered by the Technology for Educational Achievement (TEACH) Board. During FY 2001-02, \$11.7 million, or 61.9 percent of total fund expenditures and transfers, was spent on this program, including subsidies for data lines and video links for schools, libraries, and others.

Most other programs supported by the Fund are operated by the PSC. Expenditures for these programs had historically been significantly less than annual program budgets. In response, in [2001 Wisconsin Act 16](#) the Legislature limited the amount of assessments to support the PSC-operated programs to \$5.0 million in FY 2003-04 and \$6.0 million in FY 2004-05. However, the level of expenditures and encumbrances in the PSC-operated programs increased during FY 2000-01 and FY 2001-02 and is relatively close to these limits on future assessment levels.

As a result of legislative action, the Universal Service Fund was required to lapse \$3,979,000 to the General Fund during the 2001-03 biennium. Subsequent to the transfers, the Fund had a balance of approximately \$4.8 million as of June 30, 2003.

We appreciate the courtesy and cooperation extended to us by the staff at the PSC, TEACH, and the Fund's administrator, Williams Young, LLC, during the audit.

Sincerely,

JANICE MUELLER  
State Auditor

**State of Wisconsin  
Department of Transportation**

July 28, 2003

The Honorable, The Senate:

Enclosed is the report required under Wisconsin Act 119, regarding the release of photos from the Department of Transportation driver record files to Wisconsin and adjacent state law enforcement agencies.

This report is provided annually and contains the agencies and the purpose for which copies of the photographs were provided.

If you have questions regarding the release of photographs contact Debbie Kraemer, Supervisor in the Records and Licensing Information Section, Bureau of Driver Services, Division of Motor Vehicles by phone at (608) 264-7060, or e-mail at [debbie.kraemer@dot.state.wi.us](mailto:debbie.kraemer@dot.state.wi.us).

Sincerely,

THOMAS E. CARLSON  
Secretary

**State of Wisconsin  
Ethics Board**

August 5, 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>

Driscoll, Darcy **Partnership for Positive Growth**

Fischer, Laurie **Dairy Business Association**

Tries, John **Partnership for Positive Growth**

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

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**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

July 28, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ALMOND, PATRICIA M., of Madison, as Division Administrator of Merit Recruitment and Selection, Department of Employment Relations, to serve for the term ending March 26, 2004.

Sincerely,

JIM DOYLE  
Governor

Read and referred to committee on **Labor, Small Business Development and Consumer Affairs.**

**State of Wisconsin  
Office of the Governor**

July 30, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BRUCE, LINDA C., of Superior, as a member of the Wisconsin Health and Educational Facilities Authority, to serve for the term ending June 30, 2008.

Sincerely,

JIM DOYLE  
Governor

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

**State of Wisconsin  
Office of the Governor**

July 29, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint COOK, MARY R., of Madison, as a member of the Medical Examining Board, to serve for the term ending July 1, 2006.

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 02–152**

Relating to consulting physicians and changing "athletic trainer" with "licensee."

Submitted by Department of Regulation and Licensing.

Report received from Agency, July 31, 2003.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, August 6, 2003.

**Senate Clearinghouse Rule 03–048**

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

Submitted by Department of Health and Family Services.

Report received from Agency, July 31, 2003.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, August 6, 2003.

The committee on **Education, Ethics and Elections** reports and recommends:

**Senate Clearinghouse Rule 02–151**

Relating to ESEA intradistrict safe school transfer options.

No action taken.

Michael Ellis  
Chairperson

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

**Senate Clearinghouse Rule 02–048**

Relating to the small and abandoned dam removal grant program.

No action taken.

**Senate Clearinghouse Rule 02–143**

Relating to commercial fishing in Lake Michigan.

No action taken.

**Senate Clearinghouse Rule 03–014**

Relating to fishing on the inland and outlying waters of Wisconsin.

No action taken.

**Senate Clearinghouse Rule 03–027**

Relating to clean water fund program financial assistance.

No action taken.

**Senate Clearinghouse Rule 03–030**

Relating to captive wildlife.

No action taken.

Neal Kedzie  
Chairperson

**CHIEF CLERK'S REPORT**

The Chief Clerk records:

**Senate Bill 173**

Presented to the Governor on August 1, 2003.

**MOTIONS UNDER SENATE RULE 98 AND  
JOINT RULE 7**

*for the Month of July 2003*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Risser, for Cindy Ashley, on the occasion of her retirement after 37 years of dedicated service to the State of Wisconsin and Wisconsin Legislature.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Reynolds, for Officer Anthony Ball, on the occasion of his attainment of the 2003 WPPA Award for Valor.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Mark Earle, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for Tom Gabbard, on the occasion of his years of service as the Executive Director of the Weidner Center for the Performing Arts.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Kanavas, for Colin Gilligan, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lasee, for the Greenleaf Volunteer Fire Department, on the occasion of celebrating its 100th Anniversary.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Bryan Haese, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Breske, for Norm Hanson, on the occasion of being named the Wisconsin Fire Chief of the Year.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Schultz, for the Village of Highland, on the occasion of celebrating its 130th anniversary.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Breske, for the town of Hiles, on the occasion of celebrating its 100th anniversary.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Mrs. Jan Jablonski, on the occasion of her retirement after dedicating over 30 years of service in elementary education.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Decker, for Adam Krause, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Thomas Kregel, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for the Ladies Aid of the Church of Peace, on the occasion of celebrating its 100th anniversary.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Breske, for the town of Laona, on the occasion of celebrating its 100th anniversary.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Reynolds, for Judge Nicholas F. Lucas, Jr., on the occasion of his retirement and commend him for his fifty-one years of exceptional service.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Leibham, for the cities of Manitowoc, Wisconsin and Kamogawa, Japan, on the occasion of the ten year anniversary of their sister-city relationship.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator George, for Mrs. Ernestine O'Bea, on the occasion of her distinguished and outstanding service to the community through the Northwest Funeral Chapel in Milwaukee, Wisconsin.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Schultz, for Wendell Rice, on the occasion of his dedicated service as a volunteer firefighter for 50 year with the Platteville Fire Department.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for John Seibert, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Reynolds, for David K. Seitz, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Erpenbach, for the Sisters of Saint Benedict of Madison, Wisconsin, on the occasion of 50 years of dedicated community service.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Reynolds, for Phil Sobocinski, on the occasion of his retirement from the West Milwaukee School District after 30 years of hard work and dedication.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Jauch, for Robert J. Thoen, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Moore, for Mrs. Gussie Thompson, on the occasion of celebrating her 80th Birthday shared with family and friends.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Erpenbach, for Joshua Julius Wolf, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Carpenter, for Zablocki Library, on the occasion of 40 years of outstanding work and service to the southern Milwaukee community.*