

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

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WEDNESDAY, August 20, 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 229**

Relating to: liability for damages caused by dogs, court orders to kill a dog, and providing a penalty.

By Senator Panzer; cosponsored by Representatives Pettis, Grothman, Owens, A. Williams, Hines and Ott.

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

**Senate Bill 230**

Relating to: authorizing an employee of a school district, cooperative educational service agency, charter school, private school, the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, the Wisconsin Center for the Blind and Visually Impaired, or a social worker to subject an individual's blood to a test for the presence of the virus that causes acquired immunodeficiency syndrome.

By Senators Roessler, Lassa and Plale; cosponsored by Representatives Olsen, Gunderson, Hines, Jeskewitz, Kestell, Lothian, Musser, Ott, Owens, Seratti, Stone, Van Roy and Bies.

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

**Senate Bill 231**

Relating to: changing the interest rate applicable in court actions.

By Senator Schultz; cosponsored by Representative Grothman.

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

**Senate Bill 232**

Relating to: authorizing medically related actions by advanced practice nurse prescribers.

By Senators Cowles, Schultz, Erpenbach, Robson and Risser; cosponsored by Representatives Underheim, Krawczyk, Ott, Nass, Seratti, Hahn, Sherman, Grothman, Cogs, Staskunas, J. Lehman, Gunderson and Albers.

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

**Senate Bill 233**

Relating to: marriage between one man and one woman.

By Senators S. Fitzgerald, Reynolds, Zien, Stepp, Leibham, Schultz, Lazich, Kanavas and Roessler; cosponsored by Representatives Gundrum, J. Fitzgerald, Nass, Freese,

Kreibich, Hines, Grothman, M. Lehman, Nischke, Albers, Montgomery, LeMahieu, Ott, Gottlieb, F. Lasee, Hundertmark, Kestell, Pettis, Seratti, Suder, Ladwig, Weber, Gunderson, Krawczyk, Lothian, Huebsch, Friske, Petrowski, Towns, Van Roy, Honadel, Bies, Hahn, Olsen, D. Meyer, Owens, Townsend, M. Williams and Vrakas.

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

**REPORT OF COMMITTEES**

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

**Assembly Bill 98**

Relating to: creating an individual and corporate income tax exemption for interest on bonds or notes issued by the Wisconsin Housing and Economic Development Authority for purposes related to multifamily and elderly housing projects.

Concurrence.

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

Noes, 0 – None.

ARMSTRONG, PERRY, of Waunakee, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 2006.

Confirmation.

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

Noes, 0 – None.

HURTADO, GEOFFREY, of Milwaukee, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 2006.

Confirmation.

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

Noes, 0 – None.

LEHMAN, MICHAEL A., of Hartford, as a member of the Wisconsin Professional Baseball Park District Board, to serve for the term ending July 1, 2007.

Confirmation.

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

Noes, 0 – None.

SWEENEY, GARY, of Fox Point, as a member of the Bradley Center Sports and Entertainment Corporation, to serve for the term ending July 1, 2009.

Confirmation.

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

Noes, 0 – None.

**Senate Bill 168**

Relating to: enforcement of the one- and two-family dwelling code in certain cities, villages, and towns.

Adoption of Senate Substitute 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 211**

Relating to: advertising by intoxicating liquor retailers.

Passage.

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

Noes, 0 – None.

Cathy Stepp  
Chairperson

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

**Assembly Bill 344**

Relating to: requiring certain college students to be vaccinated against or be informed about meningococcal disease.

Concurrence.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

**Assembly Bill 84**

Relating to: the use of a person's social security number in his or her student identification number at a private institution of higher education.

Concurrence.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

BRADLEY, MARK, of Wausau, as a member of the Board of Regents, to serve for the term ending May 1, 2010.

Confirmation.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

CONNOLLY-KEESLER, EILEEN, of Neenah, as a member of the Board of Regents, to serve for the term ending May 1, 2010.

Confirmation.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

DAVIS, DANAE, of Milwaukee, as a member of the Board of Regents, to serve for the term ending May 1, 2007.

Confirmation.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

GREENBERG, MARTIN, of Milwaukee, as a member of the State Fair Park Board, to serve for the term ending May 1, 2007.

Confirmation.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

HOLPERIN, JIM, of Eagle River, as Secretary of the Department of Tourism, to serve for the term ending at the pleasure of the Governor.

Confirmation.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

KEHL, ALLAN, of Kenosha, as a member of the Wisconsin Technical College Systems Board, to serve for the term ending May 1, 2005.

Confirmation.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

PRUITT, CHUCK, of Shorewood, as a member of the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 2009.

Confirmation.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

RICHLIN, BETH, of Stevens Point, as a member of the Board of Regents, to serve for the term ending May 1, 2005.

Confirmation.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

ROSENZWEIG, PEGGY, of Wauwatosa, as a member of the Board of Regents, to serve for the term ending May 1, 2007.

Confirmation.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

SALAS, JESUS, of Milwaukee, as a member of the Board of Regents, to serve for the term ending May 1, 2009.

Confirmation.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

SMITH, BRENT, of La Crosse, as a member of the Wisconsin Technical College Systems Board, to serve for the term ending May 1, 2005.

Confirmation.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

VASQUEZ, JOSE, of Wauwatosa, as a member of the Wisconsin Technical College Systems Board, to serve for the term ending May 1, 2009.

Confirmation.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

WALSH, DAVID, of Madison, as a member of the Board of Regents, to serve for the term ending May 1, 2008.

Confirmation.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

Sheila Harsdorf  
Chairperson

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Office of the Governor**

August 18, 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 4</b>	<b>Wisconsin Act 49</b>	August 18, 2003

Sincerely,

JIM DOYLE  
Governor

**State of Wisconsin  
Office of the Governor**

August 6, 2003

The Honorable, The Senate:

This letter is to rescind the nomination of Gregory Morris that was made June 3, 2003 for the Dentistry Examining Board.

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 Enrolled Number</u>	<u>Publication Date</u>
<b>Senate Bill 194</b>	Wisconsin Act 40	August 25, 2003
<b>Senate Bill 77</b>	Wisconsin Act 43	August 25, 2003
<b>Senate Bill 116</b>	Wisconsin Act 44	August 25, 2003
<b>Senate Bill 117</b>	Wisconsin Act 45	August 25, 2003
<b>Senate Bill 167</b>	Wisconsin Act 46	August 25, 2003

Sincerely,  
DOUGLAS LA FOLLETTE  
Secretary of State

**State of Wisconsin  
Department of Administration**

August 4, 2003

The Honorable, The Legislature:

This report is transmitted as required by sec. 20.002(11)(f) of the Wisconsin Statutes, (for distribution to the appropriate standing committees under sec. 13.172(3) Stats.), and confirms that the Department of Administration has found it necessary to exercise the “temporary reallocation of balances” authority provided by this section in order to meet payment

responsibilities and cover resulting negative balances during the month of June 2003.

On June 1, 2003, the **Recycling Fund** cash balance closed at its monthly low of a negative \$3.4 million. The negative balance continued until June 30, 2003, when the balance closed at a positive \$3.0 million. The negative balance was due to the difference in the timing of revenues and expenditures.

On June 16, 2003, the **General Fund** cash balance closed at its monthly low of a negative \$735.4 million. The negative balance continued through June 30, 2003, when the balance closed at a negative \$301.1 million. The negative balance was due to the difference in the timing of revenues and expenditures.

The Recycling Fund and the General Fund shortfalls were not in excess of the statutory interfund borrowing limitation and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund’s share. Therefore, the monthly calculation by the State Controller’s Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,

MARC J. MAROTTA  
Secretary

Referred to the joint committee on **Finance**.

**State of Wisconsin  
Ethics Board**

August 19, 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>

Duffy, Melissa	<b>Wisconsin Federation of Cooperatives</b>
Duxbury, Margaret	<b>Calpine</b>
Hoven, Timothy	<b>Petroleum Marketers Assn of WI / WI Assn of Convenience Stores</b>
Judge, Richard	<b>Aurora Health Care Inc</b>
Kalies, Beata	<b>Wisconsin Federation of Cooperatives</b>
Speer, Beverly	<b>Wisconsin Democracy Campaign</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,

R. ROTH JUDD  
Director

**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

August 15

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HEINEMANN, LORRINE KEATING, of Oshkosh, as Secretary of the Department of

Financial Institutions, to serve for the term ending at the pleasure of the Governor.

Sincerely,

JIM DOYLE

Governor

Read and referred to committee on **Agriculture, Financial Institutions and Insurance**.

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

**Senate Clearinghouse Rule 02–120**

Relating to definitions and independence in professional practice.

Submitted by Department of Regulation and Licensing.

Report received from Agency, August 14, 2003.

Referred to committee on **Labor, Small Business Development and Consumer Affairs**, August 20, 2003.

**Senate Clearinghouse Rule 02–139**

Relating to faculty licenses.

Submitted by Department of Regulation and Licensing.

Report received from Agency, August 15, 2003.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, August 20, 2003.

**Senate Clearinghouse Rule 02–145**

Relating to adjusting solid waste licensing and plan review fees.

Submitted by Department of Natural Resources.

Report received from Agency, August 20, 2003.

Referred to committee on **Environment and Natural Resources**, August 20, 2003.

**Senate Clearinghouse Rule 03–029**

Relating to wildlife rehabilitation licenses and activities.

Submitted by Department of Natural Resources.

Report received from Agency, August 20, 2003.

Referred to committee on **Environment and Natural Resources**, August 20, 2003.

**Senate Clearinghouse Rule 03–044**

Relating to reimbursement of eligible expenses on all-terrain vehicle trails.

Submitted by Department of Natural Resources.

Report received from Agency, August 20, 2003.

Referred to committee on **Environment and Natural Resources**, August 20, 2003.

**Senate Clearinghouse Rule 03–051**

Relating to the 2003 migratory game bird season.

Submitted by Department of Natural Resources.

Report received from Agency, August 20, 2003.

Referred to committee on **Environment and Natural Resources**, August 20, 2003.

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The committee on **Health, Children, Families, Aging and Long Term Care** reports and recommends:

**Senate Clearinghouse Rule 01–075**

Relating to the requirements for an approved central fill system.

No action taken.

**Senate Clearinghouse Rule 02–155**

Relating to the licensing of emergency medical technicians and the certification of first responders to incorporate responding to acts of terrorism as a training component required for initial or renewed licensure or certification.

No action taken.

Carol Roessler  
Chairperson

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**CHIEF CLERK'S REPORT**

The Chief Clerk records:

**Senate Bill 4**

**Senate Bill 14**

**Senate Bill 25**

**Senate Bill 56**

Presented to the Governor on August 14, 2003.

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**LEGISLATIVE REFERENCE BUREAU  
CORRECTIONS**

**CORRECTIONS IN:**

**SENATE SUBSTITUTE AMENDMENT 1,  
TO 2003 SENATE BILL 2**

Prepared by the Legislative Reference Bureau  
(August 13, 2003)

1. Page 4, line 17: delete "976.0145" and substitute "973.0145".

**CORRECTIONS IN:**

**2003 SENATE BILL 214**

Prepared by the Legislative Reference Bureau  
(August 19, 2003)

2. Page 31, line 20: delete "or (16) (b)".