

STATE OF WISCONSIN
Senate Journal
Ninety–Sixth Regular Session

WEDNESDAY, December 3, 2003

The Chief Clerk makes the following entries dated **Tuesday, December 2, 2003**.

CHIEF CLERK'S ENTRIES

Senate Clearinghouse Rule 02–133

Relating to annual audits and verification of member accounts by state–chartered credit unions.

Submitted by Department of Financial Institutions.

Report received from Agency, November 25, 2003.

Referred to committee on **Agriculture, Financial Institutions and Insurance**, December 2, 2003.

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

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

Senate Bill 333

Relating to: authorizing counties to build, furnish, and rent housing facilities to county residents.

By Senators Robson and Risser; cosponsored by Representatives Towns, Berceau, Miller, Musser and Young.

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

Senate Bill 334

Relating to: restrictions imposed on the installation and use of solar energy systems and wind energy systems in cities, villages, and towns that are located on the banks, bluffs, or bluff tops of the Lower St. Croix River between the dam near St. Croix Falls and its confluence with the Mississippi River.

By Senators Harsdorf and Schultz; cosponsored by Representatives Pettis, Hines, McCormick and Hahn.

To committee on **Energy and Utilities**.

Senate Bill 335

Relating to: defunct incorporated Roman Catholic congregations.

By Senator Wirch, by request of Jerome Malsack.

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

Senate Bill 336

Relating to: creating the option to make an anatomical gift as part of a living will.

By Senators Roessler, Darling, Lazich, A. Lasee, Lassa and Risser; cosponsored by Representatives Hundertmark, Gielow,

Berceau, Krawczyk, Hines, J. Lehman, Miller, Ott, Townsend, Van Roy, Wasserman, Weber and Taylor.

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

Senate Bill 337

Relating to: acceptance of certain political contributions by certain elective state officials and committees.

By Senators Harsdorf, Schultz, Brown, Stepp, Ellis and Cowles; cosponsored by Representatives Freese, Gundrum, Pocan, Black, Kestell, Musser, M. Lehman, LeMahieu, Ladwig, Bies, Olsen, McCormick, Van Roy, Hahn, Hines, Petrowski, Pope–Roberts, Gottlieb and Seratti.

To committee on **Education, Ethics and Elections**.

Senate Bill 338

Relating to: payday loan providers and granting rule–making authority.

By Senators Schultz and Stepp; cosponsored by Representatives Jeskewitz, M. Lehman, Musser, Boyle, Taylor, Owens, Ziegelbauer, Hahn, Gronemus, Olsen, Plouff, Van Roy, Gielow, Berceau, Ott, Gunderson and Powers.

To committee on **Agriculture, Financial Institutions and Insurance**.

PETITIONS AND COMMUNICATIONS

State of Wisconsin

December 1, 2003

The Honorable, The Senate:

Pursuant to Senate Rule **20(2)(a)** and **(b)** I would like to make the following changes to the standing committees:

Appoint Senator Coggs to the Senate Committee on Judiciary, Corrections and Privacy

Appoint Senator Coggs to the Senate Committee to the Joint Committee for Review of Administrative Rules

Appoint Senator Coggs to the Joint Committee for Review of Criminal Penalties

Appoint Senator Coggs to the Joint Legislative Council

Appoint Senator Lassa to the Joint Committee on Audit

Appoint Senator Risser to the Commission on Uniform State Laws

Appoint Senator Coggs to the Education Communications Board

Remove Senator Lassa from the Joint Committee for Review of Administrative Rules

With regards to members of the minority party, appointments are made based on the nominations of that caucus.

Sincerely,

SENATOR MARY PANZER
Senate Majority Leader

State of Wisconsin

November 25, 2003

The Honorable, The Senate:

Pursuant to *Wisconsin State Statute* 15.445(4)(a)2, I am appointing Senator Jeff Plale to the State Fair Park Board effective immediately.

Please contact me with any questions.

Sincerely,

SENATOR JON ERPENBACH
Senate Minority Leader

State of Wisconsin

November 25, 2003

The Honorable, The Senate:

Pursuant to *Wisconsin State Statute* 15.197(24)(a)5, I am appointing Senator Spencer Coggs to the Milwaukee Child Welfare Partnership Council.

Please contact me with any questions. Thank you.

Sincerely,

SENATOR JON ERPENBACH
Senate Minority Leader

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

To the Honorable, the Senate:

<u>Bill, Joint Resolution or Resolution Number</u>	<u>Act Number or Enrolled Number</u>	<u>Publication Date</u>
Senate Bill 53	Wisconsin Act 86	December 10, 2003
Senate Bill 38	Wisconsin Act 87	December 10, 2003
Senate Bill 29	Wisconsin Act 88	December 10, 2003

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

**State of Wisconsin
Wisconsin Technical College System**

November 26, 2003

The Honorable, The Legislature:

This letter certifies that all sixteen Wisconsin Technical Colleges have provided sexual assault and harassment orientation, material and information to students as required under state statute 38.12(11) for the 2003-2004 school year.

Individual college letters assuring compliance are on file in our office at this time. If you have any questions or need additional information, please contact Keith Krinke, System Equal Opportunity Officer, of my staff at 266-1844.

Sincerely,

RICHARD CARPENTER
President

**State of Wisconsin
Legislative Audit Bureau**

November 20, 2003

The Honorable, The Legislature:

On September 24, 2003, you requested that we conduct an audit of the Legislative Technology Services Bureau (LTSB). As requested, we have completed our review of LTSB, which manages information systems for the Legislature and its service agencies. In fiscal year (FY) 2002-03, LTSB spent \$4.8 million from two appropriations and had an authorized staffing level of 25.0 full-time equivalent positions. Currently, it also employs 19.0 non-state workers through an arrangement with a private vendor.

We found significant deficiencies in LTSB's financial management, procurement, time management, network security, and strategic planning. For example, we found numerous inaccuracies in the financial information recorded on the State's accounting system, inadequate documentation for major maintenance agreements, and inadequate security controls. We also found significant problems in a staffing arrangement LTSB made with a private vendor, which was initiated without a request for proposals or a written contract. Since FY 1998-99, this vendor has been paid \$5.9 million.

We have made 17 specific recommendations to improve financial and program management, including a recommendation that LTSB's new director assess whether administrative efficiencies can be achieved or staffing levels reduced. We are available to assist LTSB's new director in developing improved policies, procedures, and management reports, if requested.

We appreciate the courtesy and cooperation extended to us by Interim Director Terry Anderson and LTSB staff during the course of this review.

Sincerely,

JANICE MUELLER
State Auditor

**State of Wisconsin
Ethics Board**

December 2, 2003

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 2003 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us>

Appling, Julaine K	Family Research Institute of Wisconsin Inc
Hanson, Thomas	Citigroup Management Corporation
Knier, Julie M	Brown County
Little, Steven C	Citigroup Management Corporation
Murray, Peter T	Wisconsin Association of Lakes Inc
Taffora, Raymond	Gateway Technical College
Taylor, Chad	Gateway Technical College

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**

November 19, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BARTELL, JEFFREY B., of Madison, as a member of the Artistic Endowment Foundation, to serve for the term ending May 1, 2010.

Sincerely,

JIM DOYLE
Governor

Read and referred to committee on **Higher Education and Tourism**.

**State of Wisconsin
Office of the Governor**

November 26, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint RENWICK, SUZETTE, of La Crosse, as a member of the Artistic Endowment Foundation, to serve for the term ending May 1, 2010.

Sincerely,

JIM DOYLE
Governor

Read and referred to committee on **Higher Education and Tourism**.

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

Senate Clearinghouse Rule 03-080

Relating to assessments on occupied, liensed beds in nursing homes and intermediate care facilities for the mentally retarded (ICF-MR).

Submitted by Department of Health and Family Services.

Report received from Agency, December 1, 2003.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, December 3, 2003.

Senate Clearinghouse Rule 03-103

Relating to the children at risk program.

Submitted by Department of Public Instruction.

Report received from Agency, December 1, 2003.

Referred to committee on **Education, Ethics and Elections**, December 3, 2003.

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

Senate Clearinghouse Rule 03-037

Relating to national emission standards for hazardous air pollutants for facilities that apply surface coatings to large appliances.

No action taken.

Senate Clearinghouse Rule 03-063

Relating to groundwater quality standards for arsenic.

No action taken.

Neal Kedzie
Chairperson

**State of Wisconsin
Revisor of Statutes Bureau**

December 1, 2003

To the Honorable, the Senate:

The following rules have been published:

Clearinghouse Rules	Effective Date(s)
01-075	December 1, 2003
02-120	December 1, 2003
02-138	December 1, 2003
03-009	December 1, 2003
03-014(part)	December 1, 2003
03-014(part)	March 1, 2004
03-018(part)	December 1, 2003
03-027	December 1, 2003
03-040	December 1, 2003
03-051	December 1, 2003
03-053	December 1, 2003
03-068	December 1, 2003
03-069	December 1, 2003
03-070	December 1, 2003

Sincerely,
GARY L. POULSON
Deputy Revisor

CHIEF CLERK'S REPORT

The Chief Clerk records:

- Senate Bill 121**
- Senate Bill 168**
- Senate Bill 243**
- Senate Bill 300**

Presented to the Governor on December 1, 2003.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 110** offered by Senator A. Lasee.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

2003 SENATE JOINT RESOLUTION 34

Prepared by the Legislative Reference Bureau

(November 26, 2003)

1. Page 1, line 5: delete "**That:**" and substitute "**That**".

CORRECTIONS IN:

2003 SENATE BILL 313

Prepared by the Legislative Reference Bureau

(November 26, 2003)

1. Page 21, line 18: delete "a such" and substitute "such a".

CORRECTIONS IN:

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 2003 ASSEMBLY BILL 323**

Prepared by the Legislative Reference Bureau

(December 3, 2003)

1. Page 1, line 8: delete "20% of" and substitute "20% of".

2. Page 2, line 5: after ""(a)"" insert "and substitute "PAYMENT TO COUNTIES.""

CORRECTIONS IN:

**ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 2003 ASSEMBLY BILL 323**

Prepared by the Legislative Reference Bureau

(December 3, 2003)

1. Page 21, line 6: delete "31" and substitute "31".

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

for the Month of November 2003

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Angela Ahlstrom, on the occasion of earning and attaining the rank of the Girl Scout Gold Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Cowles, for Stephen Andrews, 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 Bach, 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 Tim Barman, 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 Belleville Public Library, on the occasion of celebrating their 125th anniversary.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Schultz, for Gary L. Cahoon, on the occasion of his retirement as Chief of the Dodgeville Police Department after 13 years, with a total of 38 years in law enforcement.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Kanavas, for Erik Champion, 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 Panzer, for Walter John Chilsen, on the occasion of celebrating his 80th Birthday shared with family and friends.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for James Darcy, 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 Fitzgerald, for Air Force ROTC Detachment 925 – The Delta Dragons, on the occasion of being the premier flight of Detachment 925.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for The First Congregational United Church of Christ, on the occasion of celebrating their 150th anniversary.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Decker, for First Impressions of Wausau, on the occasion of their most generous donations of time and effort on behalf of the youngest citizens of Marathon County.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Reynolds, for Bill and Katie Funk, on the occasion of their 60th Wedding Anniversary.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Benjamin Allen Haberkorn, 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 Christopher Hallber, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Cowles, for Benjamin Huelsbeck, 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 Harsdorf, for Mrs. Janet Huppert, on the occasion of her retirement after 12 years of service to the residents of the town of River Falls.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Schultz, for Pam Jahnke, on the occasion of her excellence in farm broadcasting and her leadership and service to Wisconsin's agricultural community.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Michael Kaukl, 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 Sergeant Donald Kernler, on the occasion of his courage under extreme duress and his dedication to the welfare of those in need.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Allan J. Klotsche III, 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 Lazich, for James J. Mantes, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Kanavas, for Andrew J. Matz, 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 Breske, for the Merrill Eagles Club Aerie 584, on the occasion of celebrating its 100th anniversary.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Kanavas, for MLG, on the occasion of receiving the 2003 Business of the Year Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Decker, for Chief Craig A. Moore, on the occasion of his retirement after a 32 year career in law enforcement.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Officer Trent Morgan, on the occasion of his courage under extreme duress and his dedication to the welfare of those in need.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for Evan Nordgren, 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 Lazich, for Thomas A. Nowalis, 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 North American Mechanical, Inc., on the occasion of receiving the Commercial Mechanical Award from the Associated Builders and Contractors.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Erpenbach, for Precision Drive and Control, Inc., on the occasion of receiving a Special Projects of Distinction Award from the Associated Builders and Contractors.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Andy Richards, on the occasion of his outstanding performance and achievement in receiving the 2003 Employee of the Year Award from results broadcasting.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Joel Richards, 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 Michael Ritmanich, on the occasion of his courage under extreme duress and his dedication to the welfare of those in need.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for The River Falls First Responders, on the occasion of receiving the prestigious Drucker Nonprofit Innovation Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Eric Robert Rude, 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 Lasee, for Gerald and Wilma Schrader, on the occasion of their 65th Wedding Anniversary.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Nathan Timothy Seipel, 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 Risser, for Christine Selk, on the occasion of her retirement after 20 years of service with the State of Wisconsin.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Stodola–Mass Construction of Fond du Lac, on the occasion of receiving the Commercial Award from the Associated Builders & Contractors of Wisconsin.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Erpenbach, for Thomas A. Vanderveest, on the occasion of his 7 years of service as Principal of Middleton High School.

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

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Decker, for Michael A. Wanta, Jr., on the occasion of earning and attaining the rank of the Eagle Scout.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Schultz, for Brian Winnekins, on the occasion of his excellence in farm broadcasting and his years of service to the community.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Moore, for the Woman's Auxiliary of the Wisconsin General Baptist State Convention, on the occasion of their Diamond Jubilee celebration.