

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

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WEDNESDAY, September 15, 2004

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

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**REPORT OF COMMITTEES**

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

RUDE, BRIAN, of Coon Valley, as a Consumer Representative of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2005.

Confirmation.

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

Noes, 0 – None.

Dale Schultz  
Chairperson

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**PETITIONS AND COMMUNICATIONS**

The committee on Senate Organization reports and recommends:

In accordance with Senate Rule 21, it is moved that the Senate Committee on Organization create a select committee to be named the Senate Select Committee on Control of Health Care Costs. The committee shall examine ways to lower health care costs in Wisconsin, such as providing health care consumers tools to evaluate the cost and quality of health care, and to enable more consumers to gain access to cost-effective health care services. The committee shall consist of five members, appointed by the Majority Leader. The committee shall issue its recommendations by December 2004, for consideration by the 2005–06 Legislature.

Ayes, 5 – Senators Panzer, Lasee, Zien, Erpenbach and Hansen  
Noes, 0 – None.

MARY E. PANZER  
Chairperson

**State of Wisconsin**

September 9, 2004

The Honorable, The Senate:

Pursuant to Senate Rule 21, I have made the following appointments to the Senate Select Committee on Control of Health Care Costs: Senator Darling (co-chair), Roessler (co-chair), Leibham, Robson, and Coggs.

Sincerely,

MARY E. PANZER  
Chair, Committee on Senate Organization

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

**EXECUTIVE ORDER #67**

*Relating to the Creation of the State of Wisconsin Citizen Corps Council*

**WHEREAS**, the the need for homeland security, community health, and public safety has increased and has led to the need to call upon the abilities of all citizens to help solve many of the problems facing their communities; and

**WHEREAS**, the mission of Citizen Corps, a United States of America Freedom Corps initiative, is to harness the power of every individual through education, training, and volunteer service to make communities safer and stronger; and

**WHEREAS**, across the State, citizens of Wisconsin have responded by establishing local Citizen Corps Councils and by participating in Citizen Corps' programs, including Community Emergency Response Teams, Medical Reserve Corps, and Volunteers In Police Service; and

**WHEREAS**, the creation of a State of Wisconsin Citizen Corps Council will enable the State of Wisconsin to provide assistance and direction to the numerous local Citizen Corps Councils to help make Wisconsin safer; and

**NOW, THEREFORE, I, JIM DOYLE**, Governor of the State of Wisconsin by the authority vested in me by the Constitution and the laws of this State, and specifically by Wis. Stat. s. 14.019, do hereby:

1. Create the State of Wisconsin Citizen Corps Council ("Council"); and
2. Provide that the Council shall consist of not more than twenty (20) members appointed by the Governor to serve at the pleasure of the Governor; and
3. Provide that the Governor shall designate two (2) members on the Council as chair and vice-chair to serve in this capacity at the pleasure of the Governor; and
4. Provide that the members of the Council shall include at least the following individuals;
  - A representative from local law enforcement;
  - A county sheriff;
  - A local fire chief;
  - A local firefighter;
  - A local emergency medical services professional
  - An emergency management professional;
  - Representatives from charitable organizations with a focus on disaster readiness and volunteer mobilization;

- A member from an existing local or county Citizen Corps Council;
  - Non-government citizen members; and
5. Provide that the Council shall:
- Act as a statewide advisory council for the operation of Citizen Corps in Wisconsin;
  - Provide public information and foster awareness of the Citizen Corps program in Wisconsin;
  - Set program priorities and make recommendations for the allocation of federal funds provided for Citizen Corps by the Office for Domestic Preparedness (ODP);
  - Advise the Governor and Legislature on policy and legislation related to the Citizen Corps mission; and
6. Direct that the Wisconsin Office of Justice Assistance shall provide staff support for the Council.

IN TESTIMONY WHEREOF, 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 eighth day of September in the year two thousand and four.

JIM DOYLE  
Governor

BY THE GOVERNOR:

DOUGLAS LA FOLLETTE  
Secretary of State

**State of Wisconsin  
Ethics Board**

September 14, 2004

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>.

Fox, Sabrina      Wisconsin Dental Association  
Theo, Michael     Steve Brown Apartments

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  
Executive Director

**State of Wisconsin  
Legislative Audit Bureau**

September 9, 2004

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, 2003 and 2002.

The Universal Service Fund is funded through assessments on telecommunications providers, which totaled \$23.1 million in fiscal year (FY) 2002-03. The largest program supported by the Fund is the Educational Telecommunications Access Program, which is administered by the Department of Administration and subsidizes new and existing data lines and video links to public and private K-12 schools, colleges, public libraries, and others. In FY 2002-03, expenditures for these activities were \$18.0 million, or 61.4 percent of the Universal Service Fund's total expenditures and transfers.

Eight of the 12 programs supported by the Fund are operated by the PSC. As we reported in past audits, expenditures for PSC-operated programs historically had been significantly less than the amounts budgeted. In response, the Legislature in [2001 Wisconsin Act 16](#) 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. The level of expenditures for the PSC-operated programs has been increasing, and in FY 2002-03 it was close to the limit on assessment levels.

As a result of legislative action, the Universal Service Fund was required to lapse nearly \$4.0 million to the General Fund during the 2001-03 biennium. It had an accounting balance of \$4.2 million as of June 30, 2003, which is a 58.8 percent decrease from the \$10.2 million accounting balance as of June 30, 2002.

We appreciate the courtesy and cooperation extended to us by the staff at the PSC, the Department of Administration, and the Fund's administrator, Wipfli Young, during the audit.

Sincerely,  
JANICE MUELLER  
State Auditor

**State of Wisconsin  
University of Wisconsin System**

September 10, 2004

The Honorable, The Legislature:

The University of Wisconsin System is pleased to provide you with a copy of our annual Wisconsin Environmental Policy Act (WEPA) report. This document fulfills Section 1.11 (2)(j) of the [Wisconsin Statutes](#), providing information on the number of Type I Environmental Impact Statements and Type II Environmental Impact Assessments completed during the past fiscal year.

The attached report reflects WEPA activities of The University of Wisconsin System related to Environmental Impact Statements and Environmental Impact Assessments completed during the period of July 1, 2003 through June 30, 2004.

Should you have any questions regarding this report, they should be directed to Terri Reda, UW System Environmental Affairs Officer. Terri may be reached at 263-4410.

Sincerely,  
KEVIN P. REILLY  
President

**State of Wisconsin  
Legislative Audit Bureau**

September 10, 2004

The Honorable, The Legislature:

We have completed a review of the Environmental Cooperation Pilot Program (ECP), which was established in [1997 Wisconsin Act 27](#). The pilot program is administered by the Department of Natural Resources (DNR) and is intended to test and evaluate innovative environmental regulations for maintaining the protection of public health and the environment. The Legislative Audit Bureau is required by statutes to monitor and report annually on this pilot program.

While DNR has successfully executed seven five-year agreements with six different companies, it has not yet established a methodology to collect and evaluate information about the innovative environmental regulatory methods implemented under the program. As a result, it does not have the information necessary to determine the applicability of innovations to other companies, the feasibility of extending this program's reduced reporting and monitoring requirements to more businesses, and the effect of innovative environmental regulations on its own administrative duties.

2003 Wisconsin Act 276 created the Environmental Results Program, commonly referred to as "Green Tier." This program aims to encourage enhanced compliance with environmental regulations and provides incentives to businesses that meet higher environmental standards while at the same time implementing environmental programs. DNR officials indicate that ECPP participants are eligible to transfer to the Environmental Results Program before the agreements are completed, however, four of the six companies indicate they plan to remain in ECPP. We include a recommendation for DNR to seek legislative approval should it attempt to terminate any existing ECPP agreements.

I hope you find this information useful. Please contact me if you have additional questions.

Sincerely,

JANICE MUELLER  
State Auditor

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**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

September 8, 2004

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MEYER, MARK, of La Crosse, as a member of the Public Service Commission, to serve for the interim term ending March 1, 2005 and for the full term ending March 1, 2011.

Sincerely,

JIM DOYLE  
Governor

Read and referred to committee on **Energy and Utilities**.

**State of Wisconsin  
Office of the Governor**

September 10, 2004

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint NELSON, ELWYN, of Oshkosh, as a member of the Fox River Navigational System Authority to serve for the term ending July 1, 2007

Sincerely,

JIM DOYLE  
Governor

Read and referred to committee on **Environment and Natural Resources**.

**State of Wisconsin  
Office of the Governor**

September 8, 2004

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint WEGENKE, ROLF, of Madison, as a member of the Educational Communications Board, to serve for the term ending May 1, 2007.

Sincerely,

JIM DOYLE  
Governor

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

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

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

**Senate Clearinghouse Rule 03-119**

Relating to the agricultural chemical cleanup program.

No action taken.

Dale Schultz  
Chairperson

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

**Senate Clearinghouse Rule 04-056**

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

No action taken.

Carol Roessler  
Chairperson