

STATE OF WISCONSIN
Senate Journal
Ninety–Sixth Regular Session

WEDNESDAY, November 10, 2004

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

PETITIONS AND COMMUNICATIONS

State of Wisconsin

November 9, 2004

The Honorable, The Senate:

The Senate Republican Caucus met on November 9, 2004, and elections were held for all caucus leadership positions and by unanimous ballot the results of the elections were as follows:

Senator Dale Schultz	Senate Majority Leader
Senator Alan Lasee	President
Senator Dave Zien	President Pro Tempore
Senator Mary Lazich	Assistant Majority Leader
Senator Ron Brown	Caucus Chair
Senator Cathy Stepp	Caucus Vice-Chair
Senator Sheila Harsdorf	Caucus Sergeant-at-Arms

Please contact me if you have any questions.

Sincerely,

MARY LAZICH
Senate Republican Caucus Chair

State of Wisconsin

November 9, 2004

The Honorable, The Senate:

Today the Senate Democratic Caucus elected the following leaders, effective immediately:

Minority Leader	Senator Judy Robson
Assistant Minority Leader	Senator Dave Hansen
Caucus Chair	Senator Jeff Plale

Sincerely,

ROBERT W. WIRCH
Senate Democratic Caucus Chair

State of Wisconsin

November 4, 2004

The Honorable, The Senate:

I am writing to inform you that I am hereby submitting my resignation as State Senator from the 14th Senate District, effective 10:00 a.m. on November 5, 2004.

It has been an honor and a privilege to represent the people of the 14th Senate District in the Wisconsin State Senate. I have coordinated with the Senate Chief Clerk to ensure that my office will continue to serve those constituents under his direction until a successor takes office.

Sincerely,

ROBERT T. WELCH
State Senator

State of Wisconsin

Department of Natural Resources

November 1, 2004

The Honorable, The Senate:

In fulfillment of the requirements under s. 299.80 (16), Wisconsin State Statutes, I am submitting to you a copy of the Environmental Cooperation Pilot Program 2004 Progress Report. Please distribute as appropriate. I am also providing a copy of the Report to the Governor and to the Honorable Chief Clerk of the Assembly.

For more information on the Environmental Cooperation Pilot Program or additional copies of this report, please contact Mark McDermid at (608) 267-3125, or visit our web site at <http://www.dnr.state.wi.us/org/caer/cea/>.

Sincerely,

SCOTT HASSETT
Secretary

Referred to committee on **Environment and Natural Resources**.

State of Wisconsin

Department of Public Instruction

November 2, 2004

The Honorable, The Legislature:

Enclosed is a copy of "The 2000-01 to 2002-03 Inter-District Public School Open Enrollment Program: A Report to the Governor and the Legislature," as required by s. 118.51 (15) (c), Wis. Stats. The report is submitted to you as required by s. 13.172 (3), Wis. Stats.

Sincerely,

ELIZABETH BURMASTER
State Superintendent

Referred to committee on **Education, Ethics, and Elections**.

State of Wisconsin

Legislative Audit Bureau

November 9, 2004

The Honorable, The Legislature:

We have completed a review of the administration of the Wisconsin Works (W-2) program by Opportunities Industrialization Center of Greater Milwaukee, Inc. (OIC-GM), Wisconsin's largest provider of W-2 services,

which has been awarded state contracts totaling \$231.5 million since 1997. This review was undertaken as part of our ongoing, comprehensive audit of the W-2 program, as requested by the Joint Legislative Audit Committee.

We found that OIC-GM's relationships with other companies are complex and include a subsidiary, affiliates, and ownership interests in other organizations. There is also substantial overlap in the leadership of OIC-GM and these organizations. During the 2002-2003 W-2 contract period, OIC-GM paid these companies at least \$2.1 million. Although we found no evidence these payments were inappropriate, there is, at a minimum, the potential for OIC-GM and its associated organizations to financially benefit through noncompetitive subcontracts involving state and federal funds.

We reviewed the level and appropriateness of expenditures made by OIC-GM under W-2 and other programs and with other state and federal funds, including payments made to an attorney recently convicted of misappropriating state and federal funds. We question \$421,200 in state and federal funds OIC-GM paid for legal services, including \$308,000 for questionable work that was inadequately supported and \$113,200 paid to an officer of OIC-GM, which is not allowed under federal regulations. We also found that OIC-GM had large expenditures for telecommunications, which totaled at least \$330,700 for the 2002-2003 contract period.

Among \$1.2 million in other transactions made by OIC-GM, we identified \$6,900 in expenditures charged to the W-2 program that are unallowable, and we questioned another \$86,400 primarily because they were excessive, extraordinary, or unnecessary to agency operations.

Sincerely,

JANICE MUELLER
State Auditor

**State of Wisconsin
Ethics Board**

November 9, 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>

Burke, Brian	Arjo Wiggins Appleton Limited
Mangi, Christine	Arjo Wiggins Appleton Limited
Pawlich, Curt	River Alliance of Wisconsin
Viohl, Bridget	Arjo Wiggins Appleton Limited

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 2, 2004

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GLOCKE, CHAR, of Onalaska, as a

member of the Chiropractic Examining Board, to serve for the term ending July 1, 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**

November 4, 2004

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SILVERMAN, STEVEN, of Merrill, as a member of the Chiropractic 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.**

**State of Wisconsin
Office of the Governor**

November 4, 2004

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MCGOWN, WAYNE, of Madison, as a member of the Historic Sites Foundation, to serve for the term ending at the pleasure of the Governor.

Sincerely,
JIM DOYLE
Governor

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

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

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

Senate Clearinghouse Rule 04-001

Relating to the process for the organization of interim banks in accordance with ch.221, Stats.

No action taken.

Dale Schultz
Chairperson

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

Senate Clearinghouse Rule 04-027

Relating to public librarian certification.

No action taken.

Senate Clearinghouse Rule 04-069

Relating to prorating under the Milwaukee parental choice program.

No action taken.

Michael Ellis
Chairperson

The committee on **Energy and Utilities** reports and recommends:

Senate Clearinghouse Rule 03-003

Relating to interconnecting distributed generation facilities to the electric utility system.

No action taken.

Senate Clearinghouse Rule 03-086

Relating to rules concerning the time period covered by a strategic energy assessment.

No action taken.

Robert Cowles
Chairperson

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

Senate Clearinghouse Rule 03-111

Relating to fees for copies of health care records.

Modifications requested, Ayes 6, Noes 3.

Ayes, 6 – Senators Roessler, Kanavas, Brown, Welch, Schultz and Carpenter.

Noes, 3 – Senators Robson, Chvala and Jauch.

Carol Roessler
Chairperson

**State of Wisconsin
Revisor of Statutes Bureau**

October 29, 2004

To the Honorable, the Senate:

The following rules have been published:

Clearinghouse Rules	Effective Date(s)
01-152	2-1-2003
01-144	2-1-2003
02-002	5-1-2003

02-009	2-1-2003
02-015	2-1-2003
02-016	2-1-2003
02-050	2-1-2003
02-062	2-1-2003
02-072	5-1-2003
02-073	2-1-2003
02-080	5-1-2003
02-096	5-1-2003
02-100	2-1-2003
02-113	5-1-2003
02-118	5-1-2003
02-123	5-1-2003
02-126	5-1-2003
02-130	5-1-2003
02-131	5-1-2003
02-135	5-1-2003
02-139	1-1-2004
02-145	1-1-2004
02-152	1-1-2004
02-154	5-1-2003
03-011	1-1-2004
03-018	(part) 1-1-2004
03-022	1-1-2004
03-029	1-1-2004
03-033	(part) 1-1-2004
03-035	(part) 1-1-2004
	(part) 3-1-2004
03-044	1-1-2004
03-049	1-1-2004
03-059	1-1-2004
03-060	1-1-2004
03-061	1-1-2004
Correction of prior rules published	
02-060	4-1-2003
02-104	4-1-2003

Sincerely,
GARY L. POULSON
Deputy Revisor