



STATE OF WISCONSIN
Senate Journal
Ninety–Eighth Regular Session

12:30 P.M.

THURSDAY, February 1, 2007

The Senate met.

The Senate was called to order by Chief Clerk Marchant, pursuant to Senate Rule 5 (4)(b).

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated Wednesday, January 31, 2007.

**State of Wisconsin
Office of the Governor**

January 30, 2007

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint FISH, ALAN, of Madison, as a member of the Great Lakes Protection Fund, to serve for the term ending October 11, 2010.

Sincerely,
JIM DOYLE
Governor

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

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

Read and referred:

Senate Joint Resolution 8

Relating to: commending the University of Wisconsin–Madison Badger football team.

By Senators Risser, Lazich, Erpenbach, Olsen, Hansen, Miller, Lehman, Decker, Lassa, Darling, Kedzie, Coggs, Roessler, Wirch, Plale, Schultz and Sullivan; cosponsored by Representatives Black, Pope–Roberts, Berceau, Boyle, Kerkman, Newcomer, Mason, Ballweg, Lothian, A. Ott, Hahn, Nass, Bies, Jeskewitz, Gundrum, Molepske, Wieckert, Hebl, Travis, Seidel, Pocan, Turner, Townsend, LeMahieu, Hintz, Petrowski, Staskunas, Mursau, Smith, J. Ott and Ziegelbauer.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 20

Relating to: special distinguishing registration plates for fire fighters and groups that are military in nature.

By Senators Hansen, Sullivan, Coggs, Cowles, Wirch, Plale, Schultz, Leibham and Grothman; cosponsored by

Representatives Musser, Soletski, Nelson, Berceau, Turner, Black, Bies, Mursau, Van Roy, Smith and Sheridan.

To committee on **Transportation, Tourism and Insurance**.

Senate Bill 21

Relating to: disciplinary procedures for certain local law enforcement officers and fire fighters.

By Senators Hansen, Wirch, Lehman and Sullivan; cosponsored by Representatives Bies, Soletski, Albers, Ballweg, Friske, Gunderson, Hahn, Hines, Kerkman, Musser, Seidel, Sheridan, Townsend and Wasserman.

To committee on **Judiciary and Corrections**.

Senate Bill 22

Relating to: restrictions on employment of former commissioners and certain staff of the Public Service Commission and providing a penalty.

By Senators Lassa, Coggs, Carpenter, Lehman and Risser; cosponsored by Representatives Black, Jorgensen, Pope–Roberts, Boyle, Berceau, Pocan, Hilgenberg, Sheridan and Hintz.

To committee on **Commerce, Utilities and Rail**.

Senate Bill 23

Relating to: service by a former member of the legislature as a lobbyist.

By Senators Lassa, Sullivan, Carpenter, Lehman, Hansen and Risser; cosponsored by Representatives Black, Jorgensen, Ziegelbauer, Strachota, Cullen, Boyle, Benedict, Smith, Pocan, Hilgenberg, Sheridan and Hintz.

To committee on **Ethics Reform and Government Operations**.

REPORT OF COMMITTEES

The committee on **Ethics Reform and Government Operations** reports and recommends:

ERVIN, ROGER, of Madison, as Secretary of the Department of Revenue, to serve for the term ending at the pleasure of the Governor.

Confirmation.

Ayes, 5 – Senators Risser, Miller, Kreitlow, Ellis and Leibham.

Noes, 0 – None.

MORGAN, MICHAEL, of Madison, as Secretary of the Department of Administration, to serve for the term ending at the pleasure of the Governor.

Confirmation.

Ayes, 5 – Senators Risser, Miller, Kreitlow, Ellis and Leibham.

Noes, 0 – None.

Senate Bill 14

Relating to: providing loans to persons who are paying more property taxes as a result of the Department of Revenue's error in calculating equalized value and making an appropriation.

Passage.

Ayes, 5 – Senators Risser, Miller, Kreitlow, Ellis and Leibham.

Noes, 0 – None.

FRED RISSER
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Office of the Senate President**

January 31, 2007

The Honorable, the Senate:

I am writing to inform you that I have directed the following proposal to be withdrawn from committee and rereferred. I have obtained the consent of the appropriate chairperson of the standing committee and the chairperson of the committee on Senate Organization.

Senate Bill 14 withdrawn from committee on **Senate Organization** and rereferred to joint committee on **Finance**.

Sincerely,
FRED A. RISSER
Senate President

**State of Wisconsin
Revisor of Statutes Bureau**

February 1, 2007

To the Honorable, the Legislature:

The following rule has been published in the January 31, 2007 Wisconsin Administrative [Register No. 613](#):

<u>Clearinghouse Rules</u>	<u>Effective Date(s)</u>
06-038	2-1-2007

Sincerely,
GARY L. POULSON
Assistant Revisor of Statutes

**State of Wisconsin
Department of Administration**

January 30, 2007

The Honorable, the Legislature:

This report is transmitted as required by s. 20.002(11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes, 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 cash balances during the month of December 2006.

On December 5, 2006, the **General Fund** cash balance closed at a negative \$333.0 million. This negative balance continued through December 28, 2006, when the fund's cash balance closed at a positive \$116.5 million. The **General Fund** cash balance reached its intra-month low of a negative \$547.0 million on December 7, 2006. The negative balance was due to the difference in the timing of revenues and expenditures.

On December 1, 2006, the **Medical Assistance Trust Fund** cash balance closed at a negative \$8.5 million. This negative

balance continued through December 31, 2006, when the fund's cash balance closed at a negative \$5.4 million. The **Medical Assistance Trust Fund** cash balance reached its intra-month low of a negative \$8.5 million on December 1, 2006. [2005 Wisconsin Act 211](#) authorizes the fiscal year 2007 transfer of \$25.4 million from the **General Fund** to the **Medical Assistance Trust Fund**, which will offset this cash deficiency.

On December 1, 2006, the **Wisconsin Health Education Loan Repayment Fund** cash balance closed at a negative \$1.0 thousand. This negative balance continued through December 31, 2006, when the fund's cash balance closed at a negative \$1.0 thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

On December 27, 2006, the **Wisconsin Building Trust Fund** cash balance closed at a negative \$1.3 million. This negative balance continued through December 31, 2006, when the fund's cash balance closed at a negative \$1.6 million. The **Wisconsin Building Trust Fund** cash balance reached its intra-month low of a negative \$1.6 million on December 29, 2006. The negative balance was due to a delayed cash transfer from the University of Wisconsin.

On December 1, 2006, the **Worker's Compensation Fund** cash balance closed at a negative \$2.8 million. This negative balance continued through December 31, 2006, when the fund's cash balance closed at a negative \$3.5 million. The **Worker's Compensation Fund** cash balance reached its intra-month low of a negative \$3.5 million on December 6, 2006. The negative balance was due to the difference in the timing of revenues and expenditures.

The General Fund, Medical Assistance Trust Fund, Wisconsin Health Education Loan Repayment Fund, Wisconsin Building Trust Fund and Worker's Compensation Fund shortfalls were not in excess of the statutory interfund borrowing limitations 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,
MICHAEL L. MORGAN
Secretary

Referred to joint committee on **Finance**.

Pursuant to Senate Rule [17 \(5\)](#), Senator Breske added as a coauthor of **Senate Bill 6**.

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

Senate Clearinghouse Rule 05-104

Relating to hound dog training and trialing on captive wild animals.

Submitted by Department of Natural Resources.

Report received from Agency, January 30, 2007.

Referred to committee on **Environment and Natural Resources**, February 1, 2007.

Senate Clearinghouse Rule 06-104

Relating to the establishment of provisions for major electric generating units in Wisconsin to comply with the Clean Air Interstate Rule (CAIR) promulgated by the U.S. Environmental Protection Agency.

Submitted by Department of Natural Resources.
Report received from Agency, January 30, 2007.

Referred to committee on **Environment and Natural Resources**, February 1, 2007.

Senate Clearinghouse Rule 06-111

Relating to commercial fishing open seasons in Lake Michigan for chubs.

Submitted by Department of Natural Resources.
Report received from Agency, February 1, 2007.

Referred to committee on **Environment and Natural Resources**, February 1, 2007.

Senate Clearinghouse Rule 06-138

Relating to notice to home care consumers and workers and affecting small businesses.

Submitted by Department of Workforce Development.
Report received from Agency, January 31, 2007.

Referred to committee on **Small Business, Emergency Preparedness, Workforce Development, Technical Colleges and Consumer Protection**, February 1, 2007.

MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has adopted and asks concurrence in:

Assembly Joint Resolution 6
Assembly Joint Resolution 8

Concurred in:

Senate Joint Resolution 6

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Joint Resolution 6

Relating to: the life and public service of Doris J. Hanson.

By Representative Parisi; cosponsored by Senator Miller.
Read and referred to committee on **Senate Organization**.

Assembly Joint Resolution 8

Relating to: the life and public service of Robert L. Quackenbush.

By Representatives Musser, Nerison, Huebsch and Albers;
cosponsored by Senators Schultz, Kapanke and Vinehout.
Read and referred to committee on **Senate Organization**.

ADJOURNMENT

Chief Clerk Marchant, with unanimous consent, asked that the Senate adjourn pursuant to **Senate Joint Resolution 1**.

Adjourned.

12:31 P.M.