

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

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WEDNESDAY, July 14, 2010

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

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**CHIEF CLERK'S ENTRIES**

The Chief Clerk makes the following entries dated **Thursday, July 8, 2010.**

**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

June 24, 2010

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DEININGER, DAVID, of Monroe, as a member of the Government Accountability Board, to serve for the term ending May 1, 2016.

Respectfully Submitted,  
*JIM DOYLE*  
Governor

Read and referred to committee on **Ethics Reform and Government Operations.**

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

**Senate Clearinghouse Rule 10–035**

Relating to phosphorus water quality standards criteria and limitations and effluent standards.

Submitted by Department of Natural Resources.

Report received from Agency, July 6, 2010.

Referred to committee on **Environment**, July 8, 2010.

**Senate Clearinghouse Rule 09–112**

Relating to runoff pollution performance standards and prohibitions, the targeted runoff management grant program and the urban nonpoint source and storm water management grant programs, and affecting small business.

Submitted by Department of Natural Resources.

Report received from Agency, July 6, 2010.

Referred to committee on **Agriculture and Higher Education**, July 8, 2010.

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The Chief Clerk makes the following entries dated **Monday, July 12, 2010.**

**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

June 24, 2010

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KELLNER, TED, of Milwaukee, as a member of the Bradley Center Sports and Entertainment Corporation, to serve for the term ending July 1, 2016.

Respectfully Submitted,  
*JIM DOYLE*  
Governor

Read and referred to committee on **Economic Development.**

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

The committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue** reports and recommends:

**Senate Clearinghouse Rule 09–107**

Relating to personal care agencies and providers, and affecting small businesses.

No action taken.

**Senate Clearinghouse Rule 10–037**

Relating to anatomical gifts and the Wisconsin donor registry.

No action taken.

*JON ERPENBACH*  
Chairperson

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The committee on **Labor, Elections and Urban Affairs** reports and recommends:

**Senate Clearinghouse Rule 09–013**

Relating to the definition of the term “political purpose.”

No action taken.

*SPENCER COGGS*  
Chairperson

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**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Department of Health Services**

July 6, 2010

The Honorable, The Legislature:

Under the provisions of s. [16.953](#), Wis Stats., the Department of Health Services (DHS) is submitting its energy

cost reduction plan. DHS is committed to reducing energy usage while recognizing that the greatest cost of owning state facilities is the cost to heat, cool, illuminate and operate. Energy conservation is not a one-time activity or project, but an ongoing responsibility requiring daily attention. Successful efforts to reduce energy usage will help the Department manage budget resources as well as reduce the demand for fossil fuels with the associated environmental benefits that include the reduction of hazardous air emissions and greenhouse gases.

The Department has reduced its overall energy consumption by 5.5 percent from the 2005 base year. Although this reduction did not meet the 10 percent goal for 2008, several operational factors complicated the ability of the Department to meet these energy conservation goals. The DHS facilities operate on a 24/7 schedule and care for medically and emotionally fragile persons who have difficulty tolerating large or unexpected disruptions in their daily routine. Significant security and/or life safety considerations are also a factor. Even with these constraints, DHS is committed to reducing energy consumption to the extent possible.

The Department has a longstanding practice of incorporating high efficiency equipment and energy reducing upgrades within our facilities. Recent energy savings projects include: instantaneous hot water heating where feasible, high efficiency dish machines and laundry equipment, high bay fluorescent lighting, outdoor LED wall packs and street lighting retrofits. More aggressive opportunities being considered at the facilities include: window replacement and building envelope upgrades, solar water heating, and photo voltaic electrical systems.

The attached energy cost reduction plan worksheets reflect DHS' efforts over the last two years and outline some of its potential efforts planned for the next two years. The Department has and will continue to make energy efficiency a major part of all its capital improvement projects. In addition, the operational and maintenance staff at our facilities will continue to look for and identify non-capital improvements resulting in further reduction of our energy usage.

Sincerely,  
**KAREN E. TIMBERLAKE**  
 Secretary

Referred to joint committee on **Finance**.

Referred to committee on **Commerce, Utilities, Energy and Rail**.

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**State of Wisconsin  
 Legislative Audit Bureau**

July 8, 2010

The Honorable, The Legislature:

At your request, we have completed a limited-scope review of the use value assessment of agricultural land. Wisconsin's use value law, which was enacted as part of the 1995-97 Biennial Budget Act, is intended both to provide property tax relief for farmers and to reduce urban sprawl. Under use value assessment, property taxes are assessed on land that is used primarily for agricultural purposes based on the land's agricultural productivity, rather than its full market value. In 2008, approximately 35.0 percent of all acreage in Wisconsin was assessed as agricultural land.

In conducting this analysis, we reviewed agricultural land classification and assessments in 14 municipalities statewide. All agricultural land we reviewed met the criteria for agricultural use established in Wisconsin Administrative Code. However, more than 6,300 agricultural acres in the 14

municipalities were zoned for non-agricultural purposes, and more than 3,800 agricultural acres were owned by real estate or property development businesses, which may indicate a greater likelihood for the land to eventually be sold or developed.

We worked with assessors in each of the 14 municipalities to estimate the effect of use value assessment on property taxes within their municipalities. If those communities had assessed agricultural land that is zoned for another purpose at market value in 2009, the owners of the land would have owed a total of \$4.7 million in additional property taxes, and the tax liability of other property owners in those municipalities would have been reduced by the same amount. On an individual basis, taxes on agricultural land that is zoned for another purpose would have increased by an average of \$3,516, while taxes on all other parcels would have decreased, on average, by \$38.

Recently, the Legislature enacted the Working Lands Initiative to promote local farmland planning and provide income tax credits to eligible landowners. Should the Legislature wish to modify farmland preservation strategies through changes to use value assessment, we have identified programs in other states that may serve as models.

We appreciate the courtesy and cooperation extended to us by local assessors in our sample of 14 municipalities and by staff from the departments of Revenue; Agriculture, Trade and Consumer Protection; and Financial Institutions.

Sincerely,  
**JANICE MUELLER**  
 State Auditor

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

**Senate Clearinghouse Rule 10-032**

Relating to grants for dam maintenance, repair, modification, or abandonment and removal.

Submitted by Department of Natural Resources.

Report received from Agency, July 9, 2010.

Referred to committee on **Transportation, Tourism, Forestry, and Natural Resources**, July 14, 2010.

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

**Senate Clearinghouse Rule 09-073**

Relating to safe drinking water design requirements for community water systems, and requirements for the operation and maintenance of public water supply systems.

No action taken.

**Senate Clearinghouse Rule 10-012**

Relating to the definition of volatile organic compounds.

No action taken.

**MARK MILLER**  
 Chairperson

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

**Senate Clearinghouse Rule 08-025**

Relating to construction bidding and contracting.

No action taken.

**FRED RISSER**  
 Chairperson