

STATE OF WISCONSIN

Senate Journal

One–Hundredth Regular Session

MONDAY, August 8, 2011

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

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated **Monday, August 1, 2011.**

PETITIONS AND COMMUNICATIONS

State of Wisconsin Government Accountability Board

August 1, 2011

The Honorable, The Senate:

I am pleased to provide you with a copy of the official canvass of the July 19, 2011 Recall Election vote for the office of State Senator, District 30, along with the determination by the designee of the Chairperson of the Government Accountability Board of the winners.

With this letter, I am delivering the Certificates of Election and transmittal letters for the winner to you for distribution.

If the Government Accountability Board can provide you with further information or assistance, please contact our office.

Sincerely,
KEVIN J. KENNEDY
Director & General Counsel

The Chief Clerk makes the following entries dated **Thursday, August 4, 2011.**

PETITIONS AND COMMUNICATIONS

State of Wisconsin Office of the Governor

August 4, 2011

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 55 Act 41 August 3, 2011
Senate Bill 147 Act 42 August 3, 2011

Sincerely,
SCOTT WALKER
Governor

State of Wisconsin Office of the Senate President

August 2, 2011

The Honorable, The Senate:

Pursuant to Senate Rule [36\(2\)\(c\)](#) and section 13.52(6), Wisconsin Statutes, the Co–chairs of the Joint Committee on Tax Exemptions shall prepare and submit a report in writing on Senate Bill 160, relating to federalizing the treatment of capital losses.

Thank you for your attention to this matter.

Sincerely,
MICHAEL G. ELLIS
Senate President

Statement of Canvass for State Senator

RECALL ELECTION, July 19, 2011

I, Gerald C. Nichol, designee of the Chairperson of the Government Accountability Board, certify that the attached tabular statements, as compiled from the certified returns made to the Government Accountability Board by the several counties of the state, contain a correct abstract of the total number of votes given for the election of a candidate for State Senator, at a Recall Election held in the several election districts in said counties on the nineteenth day of July, 2011.

I DO, THEREFORE, DETERMINE AND CERTIFY that the following candidate, having each received the greatest number of votes, is duly elected State Senator:

<u>Senate District</u>	<u>Elected</u>
30th District	Dave Hansen

Done in the City of Madison, this 26th day of July, 2011.

JUDGE GERALD C. NICHOL
Designee of the Chairperson
Government Accountability Board

The Chief Clerk makes the following entries dated **Friday, August 5, 2011.**

REPORT OF COMMITTEES

The committee on **Transportation and Elections** reports and recommends:

Senate Bill 139

Relating to: prohibiting the promulgation of certain rules concerning campaign financing by the Government Accountability Board.

No recommendation pursuant to s. 227.19 (6)(b), Wisconsin Statutes.

MARY LAZICH
Chairperson

PETITIONS AND COMMUNICATIONS

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

August 5, 2011

The Honorable, the Legislature:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Senate Bill 55	Act 41	August 17, 2011
Senate Bill 147	Act 42	August 4, 2011

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

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

August 5, 2011

The Honorable, the Senate:

Pursuant to Senate Rule 46 (2)(c), I am writing to inform you that I have directed the following proposal(s) to be withdrawn from committee and rereferred. I have obtained the consent of the appropriate standing committee chairperson and the chairperson of the committee on Senate Organization.

Senate Bill 161, relating to creating forest enterprise areas; the creation of a managed forest land board of review; review of certain decisions of the Department of Natural Resources regarding forestry practices on managed forest land; annual allowable timber harvests; management plans for large ownerships of managed forest land and for group enrollments; designation of additional managed forest land; leasing of managed forest land; the taxation of managed forest land; granting rule-making authority; requiring the exercise of rule-making authority; and making an appropriation, withdrawn from committee on Natural Resources and Environment and rereferred to committee on Agriculture, Forestry, and Higher Education.

Sincerely,
MICHAEL G. ELLIS
Senate President

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Government Accountability Board**

August 2, 2011

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 2011–2012 session of the legislature,

visit the Government Accountability Board's web site at <http://gab.wi.gov/>.

Gefvert, Karen

Wisconsin Farm Bureau
Federation

Myrah, Gary

Wisconsin Council for
Administrators of Special
Services

Zelenkova, Ramie

Sunovion Pharmaceuticals
Inc.

Also available from the Wisconsin Government Accountability 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,
KEVIN KENNEDY
Director & General Counsel

**State of Wisconsin
Legislative Audit Bureau**

August 4, 2011

The Honorable, The Legislature:

As requested by the Public Service Commission (PSC), we have completed a financial audit of the Universal Service Fund (USF). Our audit report contains our unqualified opinion on the financial statements prepared by USF management for the fiscal years ending June 30, 2010 and 2009.

The USF funds a variety of telecommunications and other programs. It is funded by assessments on telecommunications providers that are typically recovered from consumers. In fiscal year (FY) 2009–10, provider assessments totaled \$51.7 million and the USF provided \$41.8 million in funding for 13 programs operated by 4 state agencies.

Two programs – the Educational Telecommunications Access Program and Aid to Public Library Systems – represented nearly 80.0 percent of the USF's FY 2009–10 program expenditures. The USF has been the sole funding source for Aid to Public Library Systems since FY 2008–09. The Educational Telecommunications Access Program is managed by the Department of Administration (DOA) and subsidizes more than 900 K–12 schools, technical colleges, public libraries, and other educational institutions' access to a broadband voice, video, and data network known as the BadgerNet Converged Network. Our report includes a recommendation for DOA to ensure that an administrative fee it charges the USF for services related to use of the BadgerNet Converged Network reflects only the actual costs of providing those services. We estimate that at least \$4.3 million of \$5.4 million that DOA lapsed to the General Fund to meet budgeting requirements under 2007 Wisconsin Act 226 and 2009 Wisconsin Acts 2 and 28 represents excess administrative service fees paid by the USF in the past five years.

We appreciate the courtesy and cooperation extended to us by staff of the PSC and three other agencies that manage USF programs – DOA, the Department of Public Instruction, and the University of Wisconsin System – as well as by the USF's administrator, Wipfli LLP.

Respectfully submitted,
JOE CHRISMAN
Interim State Auditor

ADVICE AND CONSENT OF THE SENATE

State of Wisconsin Office of the Governor

August 1, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CHURCH, JOHN, of Janesville, as a member of the Chiropractic Examining Board, to serve for the term ending July 1, 2013.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Health**.

State of Wisconsin Office of the Governor

August 3, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CORY, PATRICK, of Madison, as a member of the Health Insurance Risk-Sharing Plan Authority, to serve for the term ending May 1, 2013.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Health**.

State of Wisconsin Office of the Governor

August 3, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HARRISON, LYNN, of Elk Mound, as a member of the Land and Water Conservation Board, to serve for the term ending May 1, 2015.

Respectfully submitted,
SCOTT WALKER
Governor

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

State of Wisconsin Office of the Governor

August 3, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LAPPIN, MICHAEL, of Mequon, as a member of the Health Insurance Risk-Sharing Plan Authority, to serve for the term ending May 1, 2014.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Health**.

State of Wisconsin Office of the Governor

August 3, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint OBRIEN, PATRICK, of Larsen, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2015.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Health**.

State of Wisconsin Office of the Governor

August 3, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PEIRICK, CAROL, of Middleton, as a member of the Health Insurance Risk-Sharing Plan Authority, to serve for the term ending May 1, 2014.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Health**.

State of Wisconsin Office of the Governor

August 3, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint RAMBO, LARRY, of Hartland, as a member of the Health Insurance Risk-Sharing Plan Authority, to serve for the term ending May 1, 2014.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Health**.

State of Wisconsin Office of the Governor

August 1, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SCHALL, SHELDON, of Waunakee, as a member of the Veterinary Examining Board, to serve for the term ending July 1, 2014.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Agriculture, Forestry, and Higher Education**.

State of Wisconsin Office of the Governor

August 3, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint WAGNER, THOMAS, of Oshkosh, as a member of the Health Insurance Risk-Sharing Plan Authority, to serve for the term ending May 1, 2014.

Respectfully submitted,
SCOTT WALKER
Governor

Read and referred to committee on **Health**.

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate **Clearinghouse Rule 11-027**

Relating to background checks and fingerprinting.

Submitted by Department of Regulation and Licensing.

Report received from Agency, August 4, 2011.

Referred to committee on **Labor, Public Safety, and Urban Affairs**, August 8, 2011.

Motions Under Senate Rule 98 and Joint Rule 7 for the Month of July 2011

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Erpenbach, for Hollis Bausman, on the occasion of being named the “Hero of a Lifetime” by the American Red Cross South Central Wisconsin Real Heros program.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Erpenbach, for the Ron Boyer and family, owners of The Village Green, on the occasion of 35 years as a successful family owned and operated business.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Taylor, for Jimmie Marie Cade, on the occasion of her dedicated life to family and friends, and in all she accomplished.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Lassa, for Thomas B. Eagon, on the occasion of being named Prosecutor of the Year by the Wisconsin District Attorneys Association.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Galloway, for Lorraine Elizabeth Enkers, on the occasion of the celebration of her 90th Birthday shared with family and friends.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Holperin, for Isaac Huftel, 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 Jauch, for Iron River High School Alumni

Association, on the occasion of celebrating their 100th Anniversary.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Trevor King, 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 Holperin, for Andrew Seaman 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 Holperin, for Michael Seaman 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 Risser, for Richard (Dick) Sweet, on the occasion of his retirement after 35 years as a distinguished member of the Wisconsin Legislative Council and his devoted service to the Wisconsin State Legislature.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Erpenbach, for Zac VanNatta, on the occasion of being named the “Youth Good Samaritan” by the American Red Cross South Central Wisconsin Real Heros program.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Erpenbach, for Bill Von Rutenberg, on the occasion of being named 2011 Restaurateur of the Year by the Wisconsin Restaurant Association.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Taylor, for Representative Annette “Polly” Williams, on the occasion of paying tribute to her unwavering commitment to her community, and for her years of public service to her constituents.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Taylor, for Reverend Dr. Rolen Lewis Womack, Jr., on the occasion of his retirement after years of dedicated service to his congregation and the Milwaukee community.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Taylor, for Reverend Dr. Betty Jean Womack, on the occasion of her legacy of educational excellence.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Cory Wunrow, on the occasion of earning and attaining the rank of the Eagle Scout Award.