

STATE OF WISCONSIN
Senate Journal
Ninety–Fifth Regular Session

FRIDAY, January 11, 2002

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

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 371

Relating to: invasion of privacy and providing a penalty.

By Senators Roessler, Burke, Darling and A. Lasee; cosponsored by Representatives Meyerhofer, Hines, McCormick, Pettis, Lassa, Gronemus, Albers, Jeskewitz and Ryba.

To committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform.**

Senate Bill 372

Relating to: recording and filing documents with the offices of register of deeds and the department of financial institutions.

By Senators Plache, Hansen, Wirch and Roessler; cosponsored by Representatives F. Lasee, Powers, McCormick, J. Lehman, Lassa, Albers, Hahn, Plouff, Starzyk, Seratti, Hines, D. Meyer, Pettis, Olsen, Ladwig, M. Lehman, Freese, Krawczyk, Vrakas and Ott.

To committee on **Privacy, Electronic Commerce and Financial Institutions.**

Senate Bill 373

Relating to: the prohibition against underage persons entering or being on any premises operating under an alcohol beverage license.

By Senator Breske; cosponsored by Representative Sykora.

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

Senate Bill 374

Relating to: removal of a shopping cart and providing a penalty.

By Senators Burke, Wirch, Breske, M. Meyer, Roessler, Darling, Schultz, Huelsman and Kanavas; cosponsored by Representatives Walker, Plale, Gronemus, Ryba, Starzyk, Gard, Huebsch, Freese, M. Lehman, Krawczyk, Urban, McCormick, Grothman, Ott, Montgomery, Stone, Pettis, Rhoades, Suder, Kestell, Vrakas, Jeskewitz, Musser, Gundrum, Sykora, Ladwig, Lippert, Leibham, Loeffelholz and Petrowski.

To committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform.**

Senate Bill 375

Relating to: miscellaneous changes to the insurance laws related to the confidentiality of personal information obtained in the course of administering a state insurance fund, the statute of limitations for bringing an action against the patients compensation fund, the applicability of a timeliness requirement for the payment of insurance claims for chiropractic services, an exception from a requirement to obtain consent to incorporate certain publications by reference in administrative rules, the type of property for which the loss amount is the insurance limits, the renewal date for viatical settlement brokers' licenses, eliminating the requirement to keep a separate account for surplus lines taxes, issuance of temporary licenses for intermediaries, specifying by rule the amount of stop-loss reinsurance that a town mutual must obtain, standards related to assisting unauthorized insurers, and defining extraordinary dividends for life insurers; and granting rule-making authority.

By Senator Breske; cosponsored by Representative Montgomery.

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

Senate Bill 376

Relating to: limiting the amount of time for an insurer to recover an overpayment of a health insurance claim.

By Senator Decker; cosponsored by Representative Miller.

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

Senate Bill 377

Relating to: calculation and payment of certain duty disability benefits under the Wisconsin retirement system.

By Senator Breske, by request of Donald Kiey, Woodruff.

To committee on **Universities, Housing, and Government Operations.**

Senate Bill 378

Relating to: theft of farm-raised fish and providing penalties.

By Senators Schultz, Baumgart, Jauch and Roessler; cosponsored by Representatives Freese, Gronemus, Ladwig, Lassa, Ryba, Loeffelholz, Krawczyk, Turner, Skindrud, Starzyk, Plouff, Musser, Pettis, Hahn, McCormick, Albers, Petrowski, Johnsrud, Hines, Ott, Stone, Vrakas, Townsend, Sykora and Gunderson.

To committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform.**

Senate Bill 379

Relating to: banning human cloning and the sale or purchase of an ovum, embryo, or fetus for the purpose of cloning a human, prohibiting the use of state funds for cloning, and providing penalties.

By Senators M. Meyer, Hansen, Plache, Chvala and Burke; cosponsored by Representatives Plouff, Hines, Sykora, Gunderson, Miller and Ryba.

To committee on **Health, Utilities, Veterans and Military Affairs**.

REPORT OF COMMITTEES

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

MOORE-CHURCH, MARY ANNE, of Appleton, as a member of the Wisconsin Technical College System Board, to serve for the term ending May 1, 2007.

Confirmation.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Roessler, Darling, Lazich, Harsdorf and Kanavas.

Noes, 0 – None.

Senate Bill 280

Relating to: increasing a school district's revenue limit by a portion of the school district's handicapped education costs.

Passage.

Ayes, 6 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson and Erpenbach.

Noes, 5 – Senators Roessler, Darling, Lazich, Harsdorf and Kanavas.

Senate Bill 300

Relating to: open enrollment in public schools and granting rule-making authority.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Roessler, Darling, Lazich, Harsdorf and Kanavas.

Noes, 0 – None.

Passage as amended.

Ayes, 8 – Senators Grobschmidt, Shibilski, Baumgart, Roessler, Darling, Lazich, Harsdorf and Kanavas.

Noes, 3 – Senators Jauch, Robson and Erpenbach.

Senate Bill 302

Relating to: the name of the division for libraries and community learning in the department of public instruction and the definition of minority group (suggested as remedial legislation by the department of public instruction).

Passage.

Ayes, 11 – Senators Grobschmidt, Jauch, Shibilski, Baumgart, Robson, Erpenbach, Roessler, Darling, Lazich, Harsdorf and Kanavas.

Noes, 0 – None.

Richard Grobschmidt
Chairperson

The committee on **Insurance, Tourism, and Transportation** reports and recommends:

Assembly Bill 147

Relating to: creating a permit authorizing the operation upon a highway of a specialized hauling rig that exceeds statutory size and weight limits.

Concurrence.

Ayes, 4 – Senators Breske, Grobschmidt, A. Lasee and Schultz.

Noes, 1 – Senator Baumgart.

OCONNELL, CONNIE L., of Sun Prairie, as Commissioner of Insurance, to serve for the term ending at the pleasure of the Governor.

Confirmation.

Ayes, 5 – Senators Breske, Grobschmidt, Baumgart, A. Lasee and Schultz.

Noes, 0 – None.

Senate Bill 273

Relating to: creating definitions for common and contract carriers for sales tax and use tax purposes.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 5 – Senators Breske, Grobschmidt, Baumgart, A. Lasee and Schultz.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Breske, Grobschmidt, Baumgart, A. Lasee and Schultz.

Noes, 0 – None.

Senate Bill 332

Relating to: overpayment of state transit operating aids to the city of Rhinelander.

Passage.

Ayes, 5 – Senators Breske, Grobschmidt, Baumgart, A. Lasee and Schultz.

Noes, 0 – None.

Roger Breske
Chairperson

The committee on **Senate Organization** reports and recommends:

Assembly Joint Resolution 42

Relating to: the life and accomplishments of Edwin Lee Mathews, Sr.

Concurrence.

Ayes, 5 – Senators Chvala, Risser, Moen, Panzer and A. Lasee.

Noes, 0 – None.

Assembly Joint Resolution 46

Relating to: urging all Wisconsinites to observe March as "Women's History Month."

Concurrence.

Ayes, 5 – Senators Chvala, Risser, Moen, Panzer and A. Lasee.

Noes, 0 – None.

Assembly Joint Resolution 72

Relating to: the 1,700th anniversary of Armenian Christianity.

Concurrence.

Ayes, 5 – Senators Chvala, Risser, Moen, Panzer and A. Lasee.

Noes, 0 – None.

Assembly Joint Resolution 77

Relating to: the life and public service of Ervin Butch Conrad.

Concurrence.

Ayes, 5 – Senators Chvala, Risser, Moen, Panzer and A. Lasee.

Noes, 0 – None.

Senate Joint Resolution 52

Relating to: the life and public service of Judge Stanley A. Miller.

Adoption.

Ayes, 5 – Senators Chvala, Risser, Moen, Panzer and A. Lasee.

Noes, 0 – None.

Senate Joint Resolution 53

Relating to: the life and public service of Frederick F. Kaftan.

Adoption.

Ayes, 5 – Senators Chvala, Risser, Moen, Panzer and A. Lasee.

Noes, 0 – None.

Charles Chvala
Chairperson

The committee on **Universities, Housing, and Government Operations** reports and recommends:

Senate Bill 299

Relating to: increasing the amount appropriated to the state hygiene laboratory.

Passage.

Ayes, 4 – Senators M. Meyer, Grobschmidt, Hansen and Zien.

Noes, 2 – Senators Ellis and Huelsman.

Mark Meyer
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin

January 10, 2002

The Honorable, The Senate:

Please remove my name from co-sponsorship of Senate Bill 339, which requires that milk be made available wherever soft drinks are sold in schools. I have also asked Chief Clerk John Scocos to remove my name from co-sponsorship of the Assembly companion bill, Assembly Bill 678.

Sincerely,

JOHN LEHMAN
62nd Assembly District

State of Wisconsin
State Treasurer of Wisconsin

December 28, 2001

The Honorable, The Senate:

Attached to this letter is the EdVest College Savings Program Annual Report for the 2000-2001 Fiscal Year. Legislation for the EdVest program requires the Office of the State Treasurer to annually report to the Governor and the Legislature on the program. This fourth annual report includes summaries of the required actuarial valuation, prepared by Milliman & Robertson, Inc. and a program audit prepared by the PriceWaterhouseCoopers, LLP as well as discussions of the key developments in the program over the past fiscal year.

The most significant event of the year for the program involved the implementation of state legislation designed specifically to give EdVest new authority to take advantage of benefits and flexibility currently allowed under federal law. The legislation provided broader eligibility and coverage for the program, created a new state tax deduction for parents, expanded the number of investment options, eliminated the residency requirement and established protection of eligibility for state

financial aid. It directed the state to contract with a private firm to assist with the new program. At the conclusion of a national search, Strong Capital Management of Menomonee Falls, Wisconsin was selected as the EdVest program manager. A second partnership was developed with American Express, which offers a slightly reconfigured "tomorrow's scholar" version of the program through its financial advisors nationwide. After a period of intense planning and development, as well as passage of state legislation to formally provide the trust fund structure necessary for operation [2001 Wisconsin Act 7] the EdVest program was relaunched in May, 2001.

These program improvements were an immediate success with the public, proving that we are now meeting the college savings needs of families nationwide. By the close of the fiscal year on June 30, there were 5,337 EdVest accounts and assets under management totaled \$21.5 million. For your information, the program has continued to grow dramatically and as we are near the end of the calendar year we have over 45,000 accounts and \$230 million under management.

The College Savings Program Board, EdVest staff and I look forward to continued growth with quality service to participants in this exciting program. If you have any questions regarding the EdVest Annual Report, please contact Marty Olle at 264-7886.

Sincerely,

JACK C. VOIGHT
State Treasurer

Greater Milwaukee Committee

January 8, 2001

The Honorable, The Senate:

Attached please find the final report of the *Greater Milwaukee Committee's Economic Development Task Force Report*. The report was presented at the recent Economic Summit held in Milwaukee sponsored by the University of Wisconsin.

The GMC report contains many recommendations to grow the Wisconsin economy in the years ahead. We wanted you to have a copy for your information.

If you have any questions or comments, please do not hesitate to call (414-272-0588).

Sincerely,

ROBERT H. MILBOURNE
Staff

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

Senate Clearinghouse Rule 01-115

Relating to commercial fishing in Lake Superior and Lake Michigan.

Submitted by Department of Natural Resources.

Report received from Agency, January 9, 2002.

Referred to committee on **Environmental Resources**, January 11, 2002.

Senate Clearinghouse Rule 01-062

Relating to public employee safety and health.

Withdrawn from the committee on Universities, Housing and Government Operations pursuant to Senate Rule 46(2)(b).

Referred to committee on **Human Services and Aging**.

The committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform** reports and recommends:

Senate Clearinghouse Rule 00-183

Relating to public warehouse keeper license fees.

No action taken.

Gary George
Chairperson

The committee on **Universities, Housing, and**

Government Operations reports and recommends:

Senate Clearinghouse Rule 00-172

Relating to certification for the identification, removal and reduction of lead-based paint hazards and the issuance and registration of certificates of lead-free status and lead-safe status.

No action taken.

Mark Meyer
Chairperson