

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

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WEDNESDAY, April 23, 2003

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The Chief Clerk makes the following entries dated **April 18, 2003** :

REFERRALS AND RECEIPT OF  
COMMITTEE REPORTS CONCERNING  
PROPOSED ADMINISTRATIVE RULES

**Senate Clearinghouse Rule 02–125**

Relating to changes made as a result of [2001 Wisconsin Act 80](#), specifically music, art and dance therapists who practice psychotherapy.

Submitted by Department of Regulation and Licensing.

Report received from Agency, April 16, 2003.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, April 18, 2003.

The Chief Clerk makes the following entries dated **April 23, 2003** :

INTRODUCTION, FIRST READING AND  
REFERENCE OF PROPOSALS

Read and referred:

**Senate Joint Resolution 31**

Relating to: the life and public service of Philip S. Habermann, the first executive secretary of the Legislative Council.

By Senator A. Lasee; cosponsored by Representative Wieckert.

To committee on **Senate Organization**.

**Senate Bill 122**

Relating to: the use of a laser sighting device by a visually handicapped person while hunting.

By Senators Jauch, Schultz and Cowles; cosponsored by Representatives Johnsrud, Grothman, Gard, Ainsworth, Gronemus, Boyle, Hines, Albers, Plouff, Huber, Bies, Turner, M. Lehman, Musser and Gunderson.

To committee on **Environment and Natural Resources**.

REPORT OF COMMITTEES

The joint committee for **review of Administrative Rules** reports and recommends:

**Senate Bill 123**

Relating to: consideration of population in determining eligibility for recycling efficiency incentive grants.

Introduction.

Ayes, 10 – Senators Leibham, Welch, Lazich, Robson and Carpenter. Representatives Grothman, Seratti, Gunderson, Black and Hebl.

Noes, 0 – None.

To committee on **Environment and Natural Resources**.

Joseph Leibham  
Senate Chairperson

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

BROWN, CYNTHIA, of Menomonie, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2007.

Confirmation.

Ayes, 5 – Senators Schultz, Brown, Kedzie, Robson and Hansen.

Noes, 0 – None.

DIERCKS, ANDREW, of Coloma, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2005.

Confirmation.

Ayes, 5 – Senators Schultz, Brown, Kedzie, Robson and Hansen.

Noes, 0 – None.

FIGUEROA, ENRIQUE, of Milwaukee, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2007.

Confirmation.

Ayes, 5 – Senators Schultz, Brown, Kedzie, Robson and Hansen.

Noes, 0 – None.

SAMSON, ALLEN, of Milwaukee, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 2005.

Confirmation.

Ayes, 5 – Senators Schultz, Brown, Kedzie, Robson and Hansen.

Noes, 0 – None.

**Senate Bill 108**

Relating to: the requirement that operators of fish farms provide evidence of fish health and granting rule–making authority.

Passage.

Ayes, 5 – Senators Schultz, Brown, Kedzie, Robson and Hansen.

Noes, 0 – None.

**Senate Bill 116**

Relating to: reduction in amount recoverable by a liquidator from a reinsurer.

Passage.

Ayes, 5 – Senators Schultz, Brown, Kedzie, Robson and Hansen.

Noes, 0 – None.

**Senate Bill 53**

Relating to: regulating the negotiation and collection of demand drafts.

Passage.

Ayes, 5 – Senators Schultz, Brown, Kedzie, Robson and Hansen.

Noes, 0 – None.

Dale Schultz  
Chairperson

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

**Assembly Bill 37**

Relating to: allowing certain school buses to tow trailers.

Concurrence.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

**Assembly Bill 39**

Relating to: membership on the State Fair Park Board.

Concurrence.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

**Senate Bill 30**

Relating to: membership on the State Fair Park Board.

Passage.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

**Senate Bill 55**

Relating to: allowing certain school buses to tow trailers.

Passage.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

Sheila Harsdorf  
Chairperson

The committee on **Judiciary, Corrections and Privacy** reports and recommends:

**Senate Bill 78**

Relating to: access to public records.

Passage.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

David Zien  
Chairperson

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin**

April 22, 2003

The Honorable, The Senate:

Pursuant to Senate Rule 20(2)(a) and (b) I have appointed Senator Leibham to the Joint Committee on Finance and removed Senator Fitzgerald.

With regard to members of the minority party, appointments are made based on the nominations of that caucus.

Sincerely,

SENATOR MARY PANZER  
Senate Majority Leader

**State of Wisconsin**

**Department of Health and Family Services**

April 17, 2003

The Honorable, The Legislature:

The attached report is submitted to the Legislature pursuant to s. 46.27(11g) and s. 46.277(5m) of the state statutes. The state statutes require the Department of Health and Family Services to submit an annual report for the Community Options Program (COP) and the Home and Community-Based Waivers (COP-W/CIP II). The attached report describes the persons served, program expenditures, and services delivered through the COP, COP-Waiver and CIP II programs in calendar year 2001.

The Community Options Program provides services to people who are elderly or who have a physical, developmental or mental disability, and is closely coordinated with all of Wisconsin's Medicaid Home and Community-Based Waivers. With the Department's oversight, county agencies are able to ensure that a comprehensive and individualized care plan is provided, while maintaining program flexibility and integrity, and maximizing federal matching funds.

Sincerely,

HELENE NELSON  
Secretary

Referred to committee on **Health, Children, Families, Aging and Long Term Care.**

**State of Wisconsin**

**Joint Legislative Council**

April 16, 2003

The Honorable, The Senate:

Enclosed is a copy of the *2002 Annual Report on the Legislative Council Rules Clearinghouse*, submitted to the Legislature pursuant to s.227.15(5), Stats.

The report covers the 23rd full calendar year of operation of the Rules Clearinghouse. I trust that it will be found to be informative.

Sincerely,

TERRY C. ANDERSON  
Director

**State of Wisconsin**

**Joint Legislative Council**

April 17, 2003

The Honorable, The Senate:

I am pleased to transmit to you the following reports to the 2003 Legislature on legislation introduced by the Joint Legislative Council:

RL2003-11 Special Committee on Guardians Ad Litem in Actions Affecting the Family

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available at the Legislative Council Staff offices, One East Main, Suite 401, or from our web page at [http://www.legis.state.wi.us/lc/reports\\_by\\_topic.htm](http://www.legis.state.wi.us/lc/reports_by_topic.htm).

Sincerely,  
TERRY C. ANDERSON  
Director

**State of Wisconsin  
Joint Legislative Council**

April 21, 2003

The Honorable, The Senate:

I am pleased to transmit to you the following reports to the 2003 Legislature on legislation introduced by the Joint Legislative Council:

RL2003-12      Special Committee on Developmental  
Disabilities

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available at the Legislative Council Staff offices, One East Main, Suite 401, or from our web page at [http://www.legis.state.wi.us/lc/reports\\_by\\_topic.htm](http://www.legis.state.wi.us/lc/reports_by_topic.htm).

Sincerely,  
TERRY C. ANDERSON  
Director

**State of Wisconsin  
Ethics Board**

April 22, 2003

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 2001 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us>

Day, Warren	<b>Wisconsin Federation of Cooperatives</b>
Higgins, Anthony	<b>American Education Reform Foundation</b>
Riordan, James	<b>Wisconsin Physicians Service Insurance Corporation (WPS)</b>
Schuetz, Robert	<b>Bombardier Recreational Products</b>
Stratton, Susan	<b>Energy Center of Wisconsin</b>
Tenuta, James	<b>Wisconsin Alliance of Cities Inc</b>
Watermolen, Abby	<b>Wisconsin Primary Health Care Association</b>

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**

April 17, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BAUMAN, SUSAN, of Madison, as

a Commissioner of the Wisconsin Employment Relations Commission, to serve for the term ending March 1, 2005.

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**

**Senate Clearinghouse Rule 03-001**

Relating to the telecommunications assistance program for deaf and severely hearing impaired persons' purchase of telecommunications equipment.

Submitted by Department of Health and Family Services.

Report received from Agency, April 18, 2003.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, April 23, 2003.

**Senate Clearinghouse Rule 03-002**

Relating to small cities community development block grants for housing

Submitted by Department of Administration.

Report received from Agency, April 21, 2003.

Referred to committee on **Economic Development, Job Creation and Housing**, April 23, 2003.

**Senate Clearinghouse Rule 03-019**

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.

Submitted by Department of Health and Family Services.

Report received from Agency, April 18, 2003.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, April 23, 2003.

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

**Senate Clearinghouse Rule 02-140**

Relating to filing completed applications for examinations.

No action taken.

Carol Roessler  
Chairperson

The committee on **Homeland Security, Veterans and Military Affairs and Government Reform** reports and recommends:

**Senate Clearinghouse Rule 02-128**

Relating to sales and use tax definitions, direct pay, exemption certificates and aircraft.

No action taken.

Ronald Brown  
Chairperson

The committee on **Labor, Small Business Development and Consumer Affairs** reports and recommends:

**Senate Clearinghouse Rule 02-119**

Relating to peer reviews.

No action taken.

Thomas Reynolds  
Chairperson