

STATE OF WISCONSIN

Senate Journal

Ninety–Sixth Regular Session

TUESDAY, July 22, 2003

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

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

Senate Bill 213

Relating to: limiting the corporate income tax deduction for compensation paid to an employee.

By Senators Risser, Carpenter and Chvala; cosponsored by Representatives Pocan, Berceau, Black, Boyle, J. Lehman, Miller, Musser, Plouff, Schneider, Sinicki and Taylor.

To committee on **Homeland Security, Veterans and Military Affairs and Government Reform**.

Senate Bill 214

Relating to: carrying or going armed with a concealed weapon, requiring the exercise of rule-making authority, making appropriations, and providing penalties.

By Senators Zien, Welch, Brown, Panzer, A. Lasee, S. Fitzgerald, Schultz, Stepp, Reynolds, Kanavas, Leibham, Kedzie and Roessler; cosponsored by Representatives Gunderson, Suder, Pettis, Albers, Bies, J. Fitzgerald, Freese, Grothman, Gundrum, Hahn, Hines, Huebsch, Hundertmark, Jensen, Kerkman, Kestell, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Musser, Nass, Nischke, Owens, Petrowski, Schneider, Seratti, Sherman, Stone, Towns, Van Roy, Vrakas, Vukmir and Weber.

To committee on **Judiciary, Corrections and Privacy**.

Senate Bill 215

Relating to: the formula used for calculating the estimated motorboat gas tax payment; implementation of the Conservation Reserve Enhancement Program; implementation of county land and water resource management plans; and making appropriation.

By Senators Cowles, Breske and Hansen; cosponsored by Representatives Johnsrud, Albers, Ott, Pocan, Miller and Staskunas.

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

REPORT OF COMMITTEES

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

Assembly Bill 130

Relating to: creating a new method for towns to consolidate.
Concurrence.

Ayes, 5 – Senators Brown, Zien, S. Fitzgerald, Wirch and Breske.

Noes, 0 – None.

Assembly Bill 293

Relating to: burial of veterans and certain family members at cemeteries.

Concurrence.

Ayes, 5 – Senators Brown, Zien, S. Fitzgerald, Wirch and Breske.

Noes, 0 – None.

Assembly Bill 42

Relating to: burial at veterans cemeteries.

Concurrence.

Ayes, 5 – Senators Brown, Zien, S. Fitzgerald, Wirch and Breske.

Noes, 0 – None.

Assembly Bill 48

Relating to: mailing property tax bills.

Concurrence.

Ayes, 5 – Senators Brown, Zien, S. Fitzgerald, Wirch and Breske.

Noes, 0 – None.

Senate Bill 189

Relating to: creation of the Wisconsin Tribal–state Council and making an appropriation.

Passage.

Ayes, 5 – Senators Brown, Zien, S. Fitzgerald, Wirch and Breske.

Noes, 0 – None.

Senate Bill 190

Relating to: preparation of tribal impact statements for bills that would have an impact on tribal governments or American Indians.

Passage.

Ayes, 5 – Senators Brown, Zien, S. Fitzgerald, Wirch and Breske.

Noes, 0 – None.

Senate Joint Resolution 36

Relating to: state recognition of the sovereign status of federally recognized American Indian tribes and bands.

Adoption.

Ayes, 5 – Senators Brown, Zien, S. Fitzgerald, Wirch and Breske.

Noes, 0 – None.

Ronald Brown
Chairperson

PETITIONS AND COMMUNICATIONS

**THE STATE OF WISCONSIN
OFFICE OF THE GOVERNOR**

EXECUTIVE ORDER #19

Relating to a Proclamation that the Flag of the United States and the Flag of the State of Wisconsin be Flown at Half-Staff as a Mark of Respect for Sergeant 1st Class Dan Henry Gabrielson of the United States Army Reserve Who Lost His Life During Operation Iraqi Freedom

WHEREAS, on July 9, 2003, Sgt. 1st Class Dan Henry Gabrielson of Frederic, Wisconsin, a member of the United States Army Reserve, 652nd Engineer Company, was killed when his convoy was attacked in Iraq; and

WHEREAS, Sgt. 1st Class Dan Henry Gabrielson faithfully and honorably served the people of the State of Wisconsin and the people of the United States; and

WHEREAS, the people of Wisconsin mourn the death of Sgt. 1st Class Dan Henry Gabrielson in this tragic attack; and

WHEREAS, Sgt. 1st Class Dan Henry Gabrielson will be laid to rest on Wednesday, July 23, 2003;

NOW, THEREFORE, I, Jim Doyle, Governor of the State of Wisconsin, by the authority vested in me by the Federal and State law, do hereby order that the flag of the United States and the flag of the State of Wisconsin shall be flown at half-staff at all buildings, grounds and military installations of the State of Wisconsin equipped with such flags beginning at sunrise on **Wednesday, July 23, 2003** and ending at sunset at that date .

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the city of Madison this twenty-first day of July in the year two thousand three.

Jim Doyle
Governor

BY THE GOVERNOR:

DOUGLAS LA FOLLETTE
Secretary of State

**State of Wisconsin
Department of Administration**

June 30, 2003

The Honorable, The Legislature:

This report is transmitted as required by sec. 20.002(11)(f) of the Wisconsin Statutes, (for distribution to the appropriate standing committees under sec. 13.172(3) Stats.), 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 balances during the month of May 2003.

On May 30, 2003, the **Recycling Fund** cash balance closed at a negative \$3.4 million. The negative balance was due to the difference in the timing of revenue and expenditures.

The Recycling fund shortfall was not in excess of the statutory interfund borrowing limitation 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,

MARC J. MAROTTA
Secretary

Referred to the joint committee on **Finance**.

**State of Wisconsin
Ethics Board**

July 22, 2003

To 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>

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|------------------|---|
| Bochert, Linda | Glatfelter |
| Craney, Diane | Wisconsin Education Association Council |
| Judge, Richard | America Online Inc |
| Judge, Richard | General Motors Corporation |
| Judge, Richard | Johnson Controls Inc |
| Judge, Richard | JohnsonDiversey |
| Judge, Richard | Kwik Trip Inc |
| Judge, Richard | S.C. Johnson & Son Inc |
| Osborne, Patrick | Lafarge North America |
| Ranous, Jeffrey | American Cancer Society |
| Warmuth, Judith | Wisconsin Hospital Association Inc (WHA) |

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

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

Senate Clearinghouse Rule 02-106

Relating to the hazardous materials transportation program and to reimbursement procedures for regional and local emergency response teams.

Submitted by Department of Military Affairs.

Report received from Agency, July 21, 2003.

Referred to committee on **Homeland Security, Veterans and Military Affairs and Government Reform**, July 22, 2003.

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

Senate Clearinghouse Rule 02-064

Relating to citation authority for asbestos program violations.

No action taken.

Neal Kedzie
Chairperson

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

Senate Clearinghouse Rule 02-058

Relating to cutting, disinfectants, disinfection, massaging, delegated medical procedures, body piercing, tattooing, tanning booths, managers, relocation of establishments, sterilization and forfeitures.

No action taken.

Carol Roessler
Chairperson

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

2003 SENATE BILL 200

Prepared by the Legislative Reference Bureau

(July 21, 2003)

1. Page 2, line 4: delete "physical" and substitute "physician".