

STATE OF WISCONSIN
Senate Journal
Ninety–Sixth Regular Session

WEDNESDAY, December 10, 2003

The Chief Clerk makes the following entries dated
December 5, 2003 :

CHIEF CLERK'S ENTRIES

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

Senate Bill 339

Relating to: making various changes in the worker's compensation law and granting rule-making authority.

Introduction.

Ayes, 5 – Senators Reynolds, Kedzie, Zien, Decker and Risser.

Noes, 0 – None.

To committee on **Labor, Small Business Development and Consumer Affairs**.

Senate Bill 340

Relating to: various changes in the unemployment insurance law, granting rule-making authority, and making appropriations.

Introduction.

Ayes, 5 – Senators Reynolds, Kedzie, Zien, Decker and Risser.

Noes, 0 – None.

To committee on **Labor, Small Business Development and Consumer Affairs**.

Thomas Reynolds
Chairperson

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

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

Senate Resolution 24

Relating to: memorializing Congress to make such changes to the federal laws as are necessary to restrain the purview of the federal courts to the clear language of the First Amendment to the United States Constitution and to amend that constitution to restore the term due process to its original meaning.

By Senator Reynolds.

To committee on **Senate Organization**.

Senate Joint Resolution 53

Relating to: commending the life and public service of Officer Richard A. Meyer.

By Senators Ellis, Zien, Brown, Darling, Kanavas, Hansen, Schultz, S. Fitzgerald, A. Lasee, Kedzie, Lassa, Stepp, Roessler and Decker; cosponsored by Representatives Kaufert, McCormick, Olsen, LeMahieu, Krawczyk, Jeskewitz, Underheim, Vruwink, Bies, Van Roy, Lothian, Boyle, Krug, Ziegelbauer, Molepske, Musser, Ladwig, M. Lehman, Suder, Taylor, Miller, Gunderson, Weber, Plouff and Owens.

To committee on **Senate Organization**.

Senate Bill 341

Relating to: requiring cities and villages to make payments to towns from which land is annexed.

By Senator A. Lasee; cosponsored by Representatives Musser, Owens, Seratti, Bies, Ainsworth and M. Lehman.

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

Senate Bill 342

Relating to: requiring the president and chancellors of the University of Wisconsin System to obtain Ethics Board approval before accepting corporate board compensation.

By Senator Hansen; cosponsored by Representatives Turner, Ott, Albers, Kreibich, Hines, J. Lehman and Seratti.

To committee on **Education, Ethics and Elections**.

Senate Bill 343

Relating to: payments to ethanol producers and making an appropriation.

By Senators Harsdorf, Welch, Roessler, A. Lasee, Schultz, Zien and Hansen; cosponsored by Representatives Freese, J. Wood, Gronemus, Ward, Ott, Ainsworth, Petrowski, Suder, Hines, Loeffelholz, Towns, Balow, Vruwink, Gunderson, Hahn, Pettis, Albers, Owens, McCormick, Musser and Bies.

To committee on **Agriculture, Financial Institutions and Insurance**.

Senate Bill 344

Relating to: payment of fixed annuity increases under the Wisconsin Retirement System.

By Senators Schultz and Wirsch; cosponsored by Representatives Vrakas, Musser, Albers, Hahn, Hines, Seratti, Stone and J. Lehman.

To joint survey committee on **Retirement Systems**.

Senate Bill 345

Relating to: payday loan providers and providing a penalty.

By Senators Robson, Hansen and Jauch; cosponsored by Representatives Grothman, Ainsworth, Berceau, Black, Boyle, Hines, Miller, Petrowski, Plouff, Pocan and Taylor.

To committee on **Agriculture, Financial Institutions and Insurance**.

Senate Bill 346

Relating to: allowing an individual income tax deduction for certain amounts contributed to any section 529 college tuition program.

By Senators Kedzie, Reynolds, A. Lasee, Roessler, Lazich, Kanavas, Schultz, Stepp and Coggs; cosponsored by Representatives Nass, Gunderson, Ziegelbauer, Suder, Towns, Ladwig, Taylor, Krawczyk, Bies, F. Lasee, Pope–Roberts, Vrakas, Jeskewitz, Gronemus, Pettis, Kreibich, Townsend, Petrowski, Weber, Lothian, Johnsrud, Musser, Nischke, Schooff, Gottlieb, Grothman, Hundertmark, Stone, Gundrum, Hines, Rhoades, M. Lehman, Freese, Colon, J. Wood, Loeffelholz and Albers.

To joint survey committee on **Tax Exemptions**.

REPORT OF COMMITTEES

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

Assembly Bill 283

Relating to: an income and franchise tax credit for expenses related to operating a dairy farm.

Introduction and adoption of Senate Amendment 1.

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

Noes, 0 – None.

Concurrence as amended.

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

Noes, 0 – None.

Assembly Bill 459

Relating to: inclusion of social security numbers and employer identification numbers in Uniform Commercial Code financing statements.

Concurrence.

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

Noes, 0 – None.

Assembly Joint Resolution 52

Relating to: calling for concerted action to support, renew, and expand the agricultural economy in Wisconsin.

Concurrence.

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

Noes, 0 – None.

Senate Bill 320

Relating to: requirements for recommendations made by insurers and insurance intermediaries to senior consumers in annuity transactions; committees of the board of directors of domestic stock and mutual corporations; annuity minimum nonforfeiture amount; merger of town mutual and domestic mutual insurance corporation into a town mutual; the insurance security fund; other miscellaneous changes to the insurance provisions; and granting rule-making authority.

Passage.

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

Noes, 0 – None.

Senate Bill 322

Relating to: the definition of a group health benefit plan.

Passage.

Ayes, 3 – Senators Schultz, Brown and Kedzie.

Noes, 2 – Senators Hansen and Lassa.

Dale Schultz
Chairperson

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

Assembly Bill 633

Relating to: preemption of county, city, village, or town living wage ordinances.

Concurrence.

Ayes, 3 – Senators Reynolds, Kedzie and Zien.

Noes, 2 – Senators Decker and Hansen.

Senate Bill 289

Relating to: civil liability exemption for claims resulting from weight gain and obesity.

Passage.

Ayes, 4 – Senators Reynolds, Kedzie, Zien and Decker.

Noes, 1 – Senator Hansen.

Thomas Reynolds
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

December 3, 2003

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 300	Wisconsin Act 89	December 3, 2003
Senate Bill 168	Wisconsin Act 90	December 3, 2003
Senate Bill 243	Wisconsin Act 92	December 3, 2003
Senate Bill 121	Wisconsin Act 96	December 3, 2003

Sincerely,

JIM DOYLE
Governor

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

To the Honorable, the Senate:

<u>Bill, Joint Reso- lution or Resolu- tion Number</u>	<u>Act Number or En- rolled Number</u>	<u>Publication Date</u>
Senate Bill 300	Wisconsin Act 89	December 17, 2003
Senate Bill 168	Wisconsin Act 90	December 17, 2003
Senate Bill 243	Wisconsin Act 92	December 17, 2003
Senate Bill 121	Wisconsin Act 96	December 17, 2003

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

**State of Wisconsin
Department of Administration**

November 28, 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 October 2003.

On October 1, 2003, the **Agricultural Chemical Cleanup Fund** cash balance closed at its monthly low of a negative \$125.0 thousand. The negative balance continued through October 31, 2003, when the balance closed at a negative \$119.0 thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

The Agricultural Chemical Cleanup 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**

December 9, 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 2003 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us>

- | | |
|-------------------|---|
| Arnold, Peter | Voices for Choices |
| Bogovich, Richard | River Alliance of Wisconsin |
| Caneff, Denny | River Alliance of Wisconsin |
| Enenbach, Paul | Brotherhood of Locomotive Engineers |
| Higley, Charles | Citizens Utility Board |
| Petak, George | Wisconsin Rental Dealers Association |
| Radtke, Randall | American Lung Association of Wisconsin Inc |
| Taylor, Chad | Corrections Corporation of America |
| Walker, Sherry | Wisconsin Chiropractic Association |
| Wilson, John D | Corrections Corporation of America |

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**

December 2, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BINDL, KAREN J., of Sun Prairie, as a member of the Accounting Examining Board, to serve for the term ending July 1, 2006.

Sincerely,
JIM DOYLE
Governor

Read and referred to committee on **Labor, Small Business Development and Consumer Affairs**.

**State of Wisconsin
Office of the Governor**

December 2, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint EISELE, DAVID, of Menasha, as a member of the Land Information Board, to serve for the term ending May 1, 2006.

Sincerely,
JIM DOYLE
Governor

Read and referred to committee on **Homeland Security, Veterans and Military Affairs and Government Reform**.

**State of Wisconsin
Office of the Governor**

December 4, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GREEN, JERRY D., of Black River Falls, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2005.

Sincerely,
JIM DOYLE
Governor

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

**State of Wisconsin
Office of the Governor**

November 24, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GREENLEAF, TERRENCE M., of Whitewater, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2007.

Sincerely,
JIM DOYLE
Governor

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

**State of Wisconsin
Office of the Governor**

December 5, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MCNAMARA, PATRICK J., of Lancaster, as a member of the Auctioneer Board, to serve for the term ending May 1, 2006.

Sincerely,

JIM DOYLE
Governor

Read and referred to committee on **Labor, Small Business Development and Consumer Affairs.**

**State of Wisconsin
Office of the Governor**

December 1, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint WESLEY, GREGORY M., of Milwaukee, as a member of the Wisconsin Professional Baseball Park District Board, to serve for the term ending July 1, 2007.

Sincerely,
JIM DOYLE
Governor

Read and referred to committee on **Economic Development, Job Creation and Housing.**

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

Senate Clearinghouse Rule 03-074

Relating to waiver of the slow-no-wake restriction on Elkhorn Lake, Walworth County.

Submitted by Department of Natural Resources.

Report received from Agency, December 5, 2003.

Referred to committee on **Environment and Natural Resources**, December 10, 2003.

CHIEF CLERK'S REPORT

The Chief Clerk records:

Senate Bill 204

Senate Bill 205

Presented to the Governor on December 9, 2003.