

STATE OF WISCONSIN
Senate Journal
Ninety–Sixth Regular Session

WEDNESDAY, August 25, 2004

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

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Department of Administration**

August 23, 2004

The Honorable, The Legislature:

Included with this correspondence, I am submitting the report of the Department of Administration, Division of Gaming (Gaming), for the third quarter of fiscal year 2004 (January 1, 2004 through March 31, 2004). As required by s.562.02(1)(g), Wis. Stats., the attached materials contain pari–mutuel wagering and racing statistical information, as well as the revenues for the program areas of Racing, Charitable Gaming, Bingo and Indian Gaming.

If you have any questions or comments regarding this report, please do not hesitate to contact Rachel Meek at (608) 270–2535.

Sincerely,

JOHNNIE L. SMITH
Division Administrator

**State of Wisconsin
Department of Health and Family Services**

August 20, 2004

The Honorable, The Senate:

Section 227.485(9) of the Wis. Stats. requires the Department to submit a report concerning decisions and resulting payments of attorney fees and related legal costs. Attorney fees and other legal costs are to be paid whenever the opposing party to an agency’s Chapter 227 hearing prevails and it is determined the agency’s position was not substantially justified. The attached report reflects payments made during SFY 2004.

In addition, under 814.245(10) of the Wis. Stats., the Department is required to report any awards granted to the Department regarding frivolous motions brought against this Department. In SFY 2004, no motions of opposing parties were found to be frivolous. Consequently, the Department has no awards to report.

Sincerely,

HELENE NELSON
Secretary

**State of Wisconsin
Ethics Board**

August 17, 2004

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>
Petkovich, Vlado **Advanced Practical Solutions, LLC**
Petrovic, Milan **Advanced Practical Solutions, LLC**
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

**State of Wisconsin
Ethics Board**

August 24, 2004

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>
Konopacki, Larry **Municipal Environmental Group – Water Division**
Konopacki, Larry **Riparian Owners and Marine Contractors Association, Inc.**
Lamb, Jordan **Independent Insurance Agents of Wisconsin**
Tenuta, James **R.J. Reynolds Tobacco Company**
Vance, Vaughn **WEA Insurance Corporation**
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**

August 20, 2004

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint FRIAR, FRANK, of Baraboo, as a member of the Rural Health Development Council, to serve the term ending July 1, 2009.

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**

August 20, 2004

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint RABINOWITZ, ABE, of Middleton, as a member of the Marriage and Family Therapy Professional Counseling and Social Work Examining Board, to serve the term ending July 1, 2005.

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**

August 17, 2004

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GARCIA, TERRIE, of Waukesha, as a member of the Board of Nursing, to serve the term ending July 1, 2008.

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**

August 18, 2004

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HEISER, RAYMOND, of Wausau, as a member of the Optometry Examining Board, to serve the term ending July 1, 2008

Sincerely,

JIM DOYLE
Governor

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

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

Senate Clearinghouse Rule 04-024

Relating to fishing on the inland, outlying and boundary waters of Wisconsin.

Submitted by Department of Natural Resources.

Report received from Agency, August 24, 2004.

Referred to committee on **Environment and Natural Resources**, August 25, 2004.

Senate Clearinghouse Rule 04-028

Relating to the enforcement of the tobacco master settlement agreement.

Submitted by Department of Justice.

Report received from Agency, August 19, 2004.

Referred to committee on **Judiciary, Corrections and Privacy**, August 25, 2004.

Senate Clearinghouse Rule 04-033

Relating to analytical test methods for testing effluent discharges.

Submitted by Department of Natural Resources.

Report received from Agency, August 24, 2004.

Referred to committee on **Environment and Natural Resources**, August 25, 2004.

Senate Clearinghouse Rule 04-047

Relating to septage operator certification.

Submitted by Department of Natural Resources.

Report received from Agency, August 24, 2004.

Referred to committee on **Environment and Natural Resources**, August 25, 2004.

Senate Clearinghouse Rule 04-055

Relating to Wisconsin's statewide trauma care system.

Submitted by Department of Health and Family Services.

Report received from Agency, August 18, 2004.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, August 25, 2004.

Senate Clearinghouse Rule 04-059

Relating to the 2004 migratory game bird seasons.

Submitted by Department of Natural Resources.

Report received from Agency, August 24, 2004.

Referred to committee on **Environment and Natural Resources**, August 25, 2004.

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

Senate Clearinghouse Rule 04-053

Relating to nursing homes and facilities for the developmentally disabled.

No action taken.

Carol Roessler
Chairperson