

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

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MONDAY, July 7, 2008

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

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**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Senate**

July 1, 2008

The Honorable, the Senate:

I submit my resignation as State Senator of the 18th Senate District, and any committee or councils on which I serve as a result of that position, effective at the end of the day, July 6, 2008.

It has been my privilege to serve and represent the people of the 18th Senate District and 54th Assembly District for the past 25 years. I am honored to have been their State Senator and will miss the many duties I have fulfilled in that role.

Sincerely,  
*CAROL ROESSLER*  
State Senator  
18th Senate District

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**State of Wisconsin  
Senate Majority Leader**

July 2, 2008

The Honorable, the Senate,

Pursuant to Senate Rule 20 and with consultation from the Senate Minority Leader, I am appointing Senator Rob Cowles to serve on the Informational Technology Management Board..

Please feel free to contact me with any questions.

Sincerely,  
*RUSS DECKER*  
Senator Majority Leader

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**State of Wisconsin  
Department of Transportation**

June 25, 2008

To the Honorable, the Legislature:

On behalf of the Wisconsin Department of Transportation, I am pleased to submit the final report of the “Eau Claire County T Study” to the office of the Governor and the Wisconsin State Legislature.

The completion of this report is in accordance to a provision that was included in the 2008 Wisconsin State Budget. That provision included the following language:

*(9d) STUDY AND REPORT RELATING TO TRANSPORTATION IMPROVEMENTS IN THE CITY OF EAU CLAIRE.*

“The department of transportation shall conduct a study that examines potential transportation improvements that could improve the access to businesses and promote economic development along CTH “T” north of STH 312 in the city of Eau Claire. Not later than June 30, 2008, the department of transportation shall submit a report to the governor, and to the legislature in the manner provided under section 13.172.”

The distribution of this report follows the guidelines as indicated in section 13.172:

“...Notwithstanding any other law, any agency which is required, by statute, to submit a report to the legislature shall submit the report to the chief clerk of each house of the legislature...”

If you have any questions, please contact Tom Beekman, Northwest Region Planning Chief, at 715-836-4629.

Sincerely,  
*FRANK J. BUSALACCHI*  
Secretary

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**State of Wisconsin  
Department of Administration**

June 30, 2008

To the Honorable, the Legislature:

This report is transmitted as required by s. 20.002(11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes) 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 cash balances during the month of May 2008.

On May 1, 2008, the **Injured Patients and Families Compensation Fund** cash balance closed at a negative \$23.0 million. This negative balance continued through May 31, 2008, when the fund’s cash balance closed at a negative \$21.5 million. The **Injured Patients and Families Compensation Fund** cash balance reached its intra-month low of a negative \$23.1 million on May 6, 2008. The negative balance was due to the transfer of \$71.5 million to the General Fund per **2007 Wisconsin Act 20**, and the pending liquidation of fund securities necessary to offset this shortfall.

On May 7, 2008, the **Medical Assistance Trust Fund** cash balance closed at a negative \$8.4 million. This negative balance

continued through May 31, 2008, when the fund's cash balance closed at a negative \$59.7 million. The **Medical Assistance Trust Fund** cash balance reached its intra-month low of a negative \$60.5 million on May 21, 2008. The negative balance was due to the difference in the timing of revenues and expenditures, including a pending transfer from the Permanent Endowment Fund as required under **2007 Wisconsin Act 226**.

On May 20, 2008, the **Utility Public Benefits Fund** cash balance closed at a negative \$1.8 million. This negative balance continued through May 31, 2008, when the fund's cash balance closed at a negative \$2.5 million (its intra-month low). The negative balance was due to the difference in the timing of revenues and expenditures.

The Injured Patients and Families Compensation Fund, Medical Assistance Trust Fund, and Utility Public Benefits Fund shortfalls were not in excess of the statutory interfund borrowing limitations 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,  
**MICHAEL L. MORGAN**  
 Secretary

Referred to joint committee on **Finance**.

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

**Senate Clearinghouse Rule 07-036**

Relating to adoption of federal emission standard for mercury and additional mercury emission reductions.

Submitted by Department of Natural Resources.  
 Report received from Agency, July 3, 2008.

Referred to committee on **Environment and Natural Resources**, July 7, 2008.

**Senate Clearinghouse Rule 08-010**

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

Submitted by Department of Natural Resources.  
 Report received from Agency, July 3, 2008.

Referred to committee on **Environment and Natural Resources**, July 7, 2008.

**Senate Clearinghouse Rule 08-021**

Relating to hunting, trapping, captive wild animals, dog training, nuisance animal removal, wildlife rehabilitation, and license issuance.

Submitted by Department of Natural Resources.  
 Report received from Agency, July 3, 2008.

Referred to committee on **Environment and Natural Resources**, July 7, 2008.

**Senate Clearinghouse Rule 08-023**

Relating to administration of the forest crop law and managed forest law.

Submitted by Department of Natural Resources.  
 Report received from Agency, July 3, 2008.

Referred to committee on **Environment and Natural Resources**, July 7, 2008.

**Senate Clearinghouse Rule 07-029**

Relating to flammable, combustible and hazardous liquids, and affecting small businesses.

Submitted by Department of Commerce.  
 Report received from Agency, July 7, 2008.

Referred to committee on **Commerce, Utilities and Rail**, July 7, 2008.

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**Motions Under Senate Rule 98 and Joint Rule 7  
 for the Month of June 2008**

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Ryan Ackmann, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Robert J. Battisti, on the occasion of his retirement after 35 years of service with the Seymour Community School District.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lasee, for Josh Bertrand, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for the Brookfield Central's Girls' Track Team, on the occasion of winning the 2008 Division 1 State Championship.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for the Brown County Southwest Branch Library, on the occasion of its 50th Anniversary.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Vinehout, for Mitchell C. Brown, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Kevin Burbach, on the occasion of earning and attaining Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Schultz, for Robert D. Burgess, on the occasion of his 52 years of dedicated service to the Seymour Township.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Richard W. Flynn, on the occasion of his service and commitment in the various military branches and to the United States.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Scott D. Flynn, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Hansen, for Army Private First Class Nichole M. Frye, on the occasion of her remarkable life and extend our deepest sympathies to all her family and friends.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Taylor, for Mary Fuller, CEO of the Girl Scouts of America, on the occasion of hosting their 2nd Annual Sprouts Soiree.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Grothman, for Eric Michael Gardner, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Darling, for the Hamilton School District and Dr. Kathleen Cooke, on the occasion of being*

presented the “Managing for Results” Award by the Public Policy Forum.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Brian Herr, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Ryan Hietpas, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Grothman, for Andrew David Jarratt, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Hansen, for Marine Private First Class Ryan M. Jerabek, on the occasion of his devoted service and that he gave of himself unselfishly to his country, his state and his community.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for JW Industries, Inc., on the occasion of celebrating its 50th Anniversary.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Erik Johnson, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for David Kelley III, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Skyler Keough, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Brandon G. Koster, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Kanavas, for Tim Kroening, on the occasion of his 35 years of dedicated service to the Elmbrook School District.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Joshua Raymond Liimatta, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Dr. William G. Loasching, on the occasion of his retirement after 21 years of dedicated service to the Seymour Community School District.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Jauch, for the Madeline Island Museum, on the occasion of celebrating its 50th Anniversary.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Olsen, for William Miller, on the occasion of his retirement after 20 plus years of excellence in service to the Waupun Correctional Institution.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Vinehout, for Noel Motzing, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Taylor, for the National African American Insurance Association, on the occasion of its Inaugural Conference and its mission of Youth Development and Empowerment.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Harsdorf, for the National Wild and

Scenic Rivers Act, on the occasion of celebrating its 40th Anniversary.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Dean Warner Nowalis, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Ellis, for Troy O. Olson, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Grothman, for Justin Thomas Peterson, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Adam Rabe, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Sullivan, for Michael J. Romas, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Schultz, for Jim Schneller, Jr., on the occasion of his many successes with family and business and wish him well on his future endeavors.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Roessler, for Schreiner’s Restaurant, on the occasion of celebrating its 70th Birthday.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Matt Singer, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Sylvester and Rita Theobald, on the occasion of their many years of dedicated service to the community of Black Creek.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lasee, for Nick Thyges, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Cowles, for Dr. Lanny J. Tivaldo, on the occasion of his retirement after 11 years of dedicated service to the School District of West De Pere.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Grothman, for Mathew Paul Tiegs, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Taylor, for Top Ladies of Distinction, Milwaukee Chapter, on the occasion of their annual program that honors exceptional fathers and mentors for their dedication to the residents of Wisconsin.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Harsdorf, for the Town and Country 4–H Club, on the occasion of celebrating their 50th Anniversary.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Lenore Vandeberg, on the occasion of her 34 1/2 years of dedicated service to the North Fond du Lac School District.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Erpenbach, for JoAnn M. Wainwright, on the occasion of her retirement after years of dedicated service to the City of Verona.