

STATE OF WISCONSIN
Senate Journal
Ninety–Sixth Regular Session

WEDNESDAY, April 9, 2003

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

**INTRODUCTION, FIRST READING AND
REFERENCE OF PROPOSALS**

Read and referred:

Senate Joint Resolution 30

Relating to: the induction of Bob Uecker into the broadcasters wing of the Baseball Hall of Fame.

By Senators Kanavas, Welch, Darling, Wirch, Stepp, Kedzie, Roessler, Harsdorf, Hansen and Lazich; cosponsored by Representatives Huebsch, Gard, Stone, Jensen, Vrakas, Jeskewitz, Krug, Gundrum, Coggs, Ladwig, Nischke, Turner, Lothian, M. Lehman, Gielow, Ward, Nass, Miller, Musser, Olsen, Plouff, Hines, J. Lehman, Townsend, Van Roy, McCormick, Hundertmark, Bies, Huber, J. Fitzgerald, Lassa, Ott, M. Williams, Hahn and Petrowski.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 97

Relating to: dog licensing and claims for damage that is caused by dogs in certain populous counties.

By Senators Reynolds, Lazich and Darling; cosponsored by Representatives Stone, Grothman, Vrakas, Gundrum, Sinicki, Hines, Bies, Hahn and Pocan.

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

Senate Bill 98

Relating to: housing of county prisoners from Michigan in Wisconsin county jails.

By Senators S. Fitzgerald, Welch, Schultz, Stepp, Roessler, A. Lasee, Jauch, Cowles and Hansen; cosponsored by Representatives Gard, Seratti, M. Williams, Van Roy, Bies, D. Meyer, Friske, Ainsworth, Krawczyk, F. Lasee, Ott, M. Lehman, J. Lehman, Hines, Loeffelholz, Hahn, Nass, Stone, Vrakas, LeMahieu, Ladwig and Jensen.

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

Senate Bill 99

Relating to: requiring a hospital to provide to an alleged victim of sexual assault, with consent, information and emergency contraception and providing a penalty.

By Senators Risser, Carpenter, Chvala, Erpenbach, Jauch, Moore and Robson; cosponsored by Representatives Pocan, Berceau, Black, Boyle, Hebl, Krug, J. Lehman, Miller, Plouff,

Pope–Roberts, Richards, Shilling, Sinicki, Travis, Wasserman, Young and Zepnick.

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

Senate Bill 100

Relating to: administrative rule making regarding small businesses, data used by administrative agencies in preparing proposed rules, increasing attorney fees, creating an Internet site for proposed rules, and creating a Small Business Regulatory Review Board.

By Senators Welch, Schultz, Roessler, Reynolds, Stepp, Brown, Kanavas, S. Fitzgerald, Lazich and Leibham; cosponsored by Representatives McCormick, J. Fitzgerald, Suder, Krawczyk, Friske, Vrakas, Gunderson, Hundertmark, Seratti, Pettis, Albers, Stone, Hines, Musser, Bies, Hahn, Wieckert, Underheim, Nischke, Staskunas, Ladwig, Kreibich, Olsen, Van Roy, Plale, Ziegelbauer, J. Wood, Powers, Schooff, Ott, Balow and Lassa.

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

Senate Bill 101

Relating to: the method of filling vacancies in certain county, city, village, and town elective offices.

By Senators Leibham and Reynolds; cosponsored by Representatives Freese, Vrakas, Hines, Ladwig, Ott, Kestell, Albers, LeMahieu and Olsen.

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

Senate Bill 102

Relating to: mailing property tax bills.

By Senators Leibham and Stepp; cosponsored by Representatives Ladwig, Gronemus, Ainsworth, Albers, Hines, Jeskewitz, Kreibich, Montgomery, Owens, Seratti and Van Roy.

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

Senate Bill 103

Relating to: criminal background investigations by the Department of Regulation and Licensing of applicants for certain professional credentials.

By Senators Cowles, Stepp and Hansen; cosponsored by Representatives Krawczyk, Weber, Van Roy, McCormick, Hahn, Hines, Owens and Vrakas.

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

Senate Bill 104

Relating to: prohibiting the use of fireworks at certain indoor venues and providing a penalty.

By Senators Kedzie, Brown, Cowles, Schultz, Roessler, Kanavas and A. Lasee; cosponsored by Representatives Jeskewitz, Albers, Hahn, Ladwig, Townsend, Hines, Travis, Weber and Ott.

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

Senate Bill 105

Relating to: mandatory operating privilege suspension for certain firearm offenses and bomb scares.

By Senators Leibham, A. Lasee and Stepp; cosponsored by Representatives Suder, Jeskewitz, Kestell, Hahn, Hines, Ott, LeMahieu, Nass, Albers, Gielow and Townsend.

To committee on **Transportation and Information Infrastructure.**

Senate Bill 106

Relating to: the residence of child sex offenders.

By Senators Harsdorf, M. Meyer, A. Lasee, Kanavas, Leibham and Darling; cosponsored by Representatives Johnsrud, Krawczyk, Ainsworth, Gundrum, Hundertmark, Ott, Lassa, J. Fitzgerald, Jeskewitz, Hines, McCormick and J. Wood.

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

Senate Bill 107

Relating to: school and school district performance reports.

By Senators Harsdorf, Schultz, Roessler, Decker and Leibham; cosponsored by Representatives Petrowski, J. Lehman, Bies, Grothman, M. Lehman, Musser, Hines, Miller, Pettis, Sherman, Ott, LeMahieu, Hahn, M. Williams, Plouff, Friske, Albers, Huber, Stone, Towns, Jeskewitz and J. Fitzgerald.

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

Senate Bill 108

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

By Senators Harsdorf, Schultz, Breske, Zien, A. Lasee, Kedzie, Stepp and Jauch; cosponsored by Representatives Ott, Gronemus, Hahn, Hines, Kerkman, Freese, Bies, Seratti, Pettis, Petrowski, Gunderson, Albers and Kreibich.

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

Senate Bill 109

Relating to: registration plate decal for recipients of the Purple Heart Medal military honor.

By Senators Brown, Schultz, Roessler, S. Fitzgerald, Wirch, Stepp, A. Lasee and Leibham; cosponsored by Representatives Musser, Townsend, Turner, Ladwig, Lothian, Krawczyk, Freese, Pettis, Nass, Bies, Van Roy, Lassa, Olsen, J. Lehman, Stone, Kreuser, Shilling, McCormick and Grothman.

To committee on **Transportation and Information Infrastructure.**

Senate Bill 110

Relating to: expanding town authority to create an official map and the status of an official town map.

By Senators A. Lasee and Kanavas; cosponsored by Representatives Ainsworth, Albers, Bies, Gronemus, Hines,

Krawczyk, M. Lehman, LeMahieu, McCormick, Musser, Ott, Owens and Towns.

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

Senate Bill 111

Relating to: the energy efficiency of equipment used in state building projects and certain other projects constructed for the state and granting rule-making authority.

By Senators Cowles, Schultz, Hansen, Risser and Wirch; cosponsored by Representatives Van Roy, Miller, Black, Plouff, Cullen, Berceau, Pocan and Lassa.

To committee on **Energy and Utilities.**

Senate Bill 112

Relating to: the regulation of commercial lighting systems and granting rule-making authority.

By Senators Cowles, Schultz, Wirch and Hansen; cosponsored by Representatives Ladwig, Black, Miller, Ott, Hahn, Hines and Pocan.

To committee on **Energy and Utilities.**

Senate Bill 113

Relating to: review of legislative proposals and proposed state agency rules impacting energy policies.

By Senators Cowles, Panzer, Schultz, Hansen and Wirch; cosponsored by Representatives Van Roy, Black, Berceau and Pocan.

To committee on **Energy and Utilities.**

REPORT OF COMMITTEES

The committee on **Transportation and Information Infrastructure** reports and recommends:

Senate Bill 33

Relating to: access by law enforcement agencies to photographs on motor vehicle operators licenses and identification cards.

Passage.

Ayes, 5 – Senators Leibham, Kanavas, Kedzie, Breske and M. Meyer.

Noes, 0 – None.

Senate Bill 40

Relating to: designating and marking a portion of USH 14 as the Ronald Reagan Highway.

Passage.

Ayes, 5 – Senators Leibham, Kanavas, Kedzie, Breske and M. Meyer.

Noes, 0 – None.

Joseph Leibham
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin

April 3, 2003

The Honorable, The Senate:

Pursuant to Senate Rule 20(2)(a and (b), I have appointed Senator Roessler as a member of the Child Abuse and Neglect Prevention Board and removed Senator Brown.

Sincerely,

MARY PANZER
Senate Majority Leader

**State of Wisconsin
Legislative Audit Bureau**

April 4, 2003

The Honorable, The Legislature:

We have completed a review of the Office of Justice Assistance's (OJA's) administration of the Juvenile Accountability Incentive Block Grants program at the request of several legislators, including Representative David Cullen, who first requested it. The purpose of the program is to assist states and localities in making delinquent juveniles accountable for the crimes they commit. From the program's inception in 1998 through September 2001, the State received \$17.3 million in federal grant funds, and an additional \$1.1 million in interest earnings from these funds.

We found serious deficiencies in OJA's management of the program, which resulted from a noncompetitive grant award process, inadequate oversight by the 27-member Juvenile Justice Commission, and the significant discretion allowed OJA's former Executive Director. We question a total of \$279,033 in expenditures that were funded primarily by the program and are either inconsistent with its purpose or excessive for a state agency. This amount includes \$149,784 in expenditures incurred during fiscal year 2001-02, which are reported in our 2001-02 single audit report (report 03-5).

From federal fiscal year 1997-98 through federal fiscal year 2001-02, the Department of Corrections was awarded \$3.7 million in Juvenile Accountability Incentive Block Grant funds without consideration of statewide priorities, which had not been developed. We include a recommendation for OJA to establish a competitive process for distributing all program funds to local government and state agencies.

We appreciate the courtesy and cooperation extended to us by OJA staff during our review.

Sincerely,

JANICE MUELLER
State Auditor

**State of Wisconsin
Joint Legislative Council**

April 1, 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:

RL2003-05 Special Committee on Relative
Caregivers

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.

Sincerely,

TERRY C. ANDERSON
Director

**State of Wisconsin
Medical College of Wisconsin**

March 25, 2003

The Honorable, The Senate:

Enclosed is the biennial report of the Medical College of Wisconsin, prepared according to the statutory requirement under section 13.106. This report covers the period ending June 30, 2002, and contains information in the following areas:

- financial status of the family practice residency sites

- number of family practice residents choosing to practice in medically underserved areas of the state upon graduation

- number of graduates entering family practice as a career

Please feel free to contact me at (414) 456-8544 if you have any questions or would like additional information.

Sincerely,

KATHRYN A. KUHN
Director

Planning and Government

**State of Wisconsin
Ethics Board**

April 8, 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>

Ballerini, Fred	Rime Management Group Inc
Boxer, Barbara K	PDM Bridge, LLC
Danforth, Cristina	Oneida Tribe of Indians of Wisconsin
Danforth, Curtis	Oneida Tribe of Indians of Wisconsin
Fonfara, Thomas	Wisconsin State Firefighters' Association Inc
Franken, Andrew	National Vehicle Protection Association
Haber, Darcy	Wisconsin Citizen Action
Hudek, Robert	Wisconsin Citizen Action
Hughes, Kathy	Oneida Tribe of Indians of Wisconsin
Kammer, Peter	Wisconsin Chiropractic Association
Longmire, Erin	Wisconsin Association of Mortgage Brokers
Mc Coshen, William J	Wisconsin State Attorney's Union
Mettner, Michelle	Association of State Prosecutors
Meyer, George	Wisconsin Wildlife Federation
Perez, Victor	Fortis Insurance Company
Petersen, Eric J	Geneva Lakes Greyhound Track
Ranous, Jeffrey	Rime Management Group Inc
Rogowski, Michael	CenturyTel Service Group LLC
Stepaniak, Jerry	MAXIMUS Inc
Stinson, Ceasar	Milwaukee Public Schools
Strohl, Joseph	Menominee County
Viohl, Bridget	Rime Management Group Inc
Young, Darthula	MAXIMUS Inc

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 3, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GORDON, PAUL, of Chippewa Falls, as a Commissioner of the Wisconsin Employment Relations Commission, to serve for the term ending March 1, 2009.

Sincerely,

JIM DOYLE
Governor

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

**State of Wisconsin
Office of the Governor**

April 8, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HEINZ, GERI A., of Wausau, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 2004.

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**

March 27, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KAUFMANN, MARILYN A., of Cleveland, as a member of the Board of Nursing, to serve for the term ending July 1, 2006.

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**

March 24, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PETERS, ALMA, of Mequon, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 2006.

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**

March 24, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint STARK, WILL, of De Pere, as a member of the Fox River Navigational System Authority, to serve for the term ending July 1, 2004.

Sincerely,

JIM DOYLE
Governor

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

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

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

Senate Clearinghouse Rule 02–103

Relating to extension of disciplinary action time limits.

No action taken.

Carol Roessler
Chairperson

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

Senate Clearinghouse Rule 03–008

Relating to the annual adjustment of thresholds for application of prevailing wage rates.

No action taken.

Thomas Reynolds
Chairperson

The committee on **Transportation and Information Infrastructure** reports and recommends:

Senate Clearinghouse Rule 03–004

Relating to the loan repayment incentive grant program.

No action taken.

Joseph Leibham
Chairperson

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 77** offered by Senator Darling.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

2003 SENATE BILL 89

Prepared by the Legislative Reference Bureau

(April 2, 2003))

1. Page 2, line 10: before “referendum” insert “a”.