



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Sixth Regular Session

11:30 A.M.

THURSDAY, March 20, 2003

The Senate met.

The Senate was called to order by Senator David Zien.

The Chair, with unanimous consent, asked that the proper entries be made in the journal.

### INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read first time and referred:

#### Senate Bill 77

Relating to: promissory notes issued by the city of Milwaukee to pay for unfunded prior service liability contributions of the Milwaukee Public Schools under the Wisconsin Retirement System.

By Senators Darling, Reynolds and Lazich; cosponsored by Representatives Stone, Montgomery, Bies, Grothman, Hines, Gielow and McCormick.

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

#### Senate Bill 78

Relating to: access to public records.

By Joint Legislative Council.

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

#### Senate Bill 79

Relating to: filing of financial statements by candidates and personal campaign committees.

By Senators Carpenter and Hansen; cosponsored by Representatives Miller, McCormick, Zepnick and Sinicki.

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

#### Senate Bill 80

Relating to: creating a special motion to strike a claim in a civil action that arises from the exercise of free speech or the right to petition the government.

By Senator Risser; cosponsored by Representatives Berceau, Schneider, Boyle, Pocan, J. Lehman and Miller.

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

#### Senate Bill 81

Relating to: residency of certain election officials.

By Senators Wirch and Kedzie; cosponsored by Representatives Kerkman, Bies, Coggs, Huber, Ladwig, J. Lehman, M. Lehman, Miller, Musser, Olsen, Seratti, Staskunas, Stone, Travis and Vrakas.

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

#### Senate Bill 82

Relating to: kinship care, notice of guardianship proceedings, creating a health services consent form, requesting the Joint Legislative Council to study guardianship and legal custody, granting rule-making authority, and providing penalties.

By Joint Legislative Council.

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

### PETITIONS AND COMMUNICATIONS

#### THE STATE OF WISCONSIN OFFICE OF THE GOVERNOR

##### EXECUTIVE ORDER #7

#### *Relating to the Creation of the Governor's Homeland Security Council*

**WHEREAS**, Wisconsin must be prepared to protect its citizens, critical infrastructure and key assets from any possible terrorist threats;

**NOW, THEREFORE, I Jim Doyle**, Governor of the State of Wisconsin, by the authority vested to me by the Constitution and the laws of this State, and specifically by Section 14.019 of the Wisconsin Statutes, do hereby:

- 1.Create the Governor's Homeland Security Council (hereinafter the "Council"); and
- 2.Provide that the Council shall consist of seven (7) members appointed by the Governor to serve at the pleasure of the Governor; and
- 3.Provide that the Governor shall designate one (1) member of the Council as chair to serve in that capacity at the pleasure of the Governor, and
- 4.Provide that the Council shall have the following mission:

To advise the Governor and coordinate the efforts of state and local officials with regard to prevention of, and response to, potential threats to the homeland security of Wisconsin; and

- 5.Require the Council to submit periodic reports to the Governor with a final report due to the Governor, pursuant to the Governor's request; and
- 6.Provide that the Council shall dissolve when the Governor accepts the Council's final report.

**IN TESTIMONY WHERE OF**, 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 eighteenth day of March, 2003.

JIM DOYLE  
Governor

*BY THE GOVERNOR:*  
DOUGLAS LA FOLLETTE  
Secretary of State

**State of Wisconsin**

March 17, 2003

The Honorable, The Senate:

Pursuant to Senate Rule 20(2)(a) and (b) I have appointed Senator Brown to the Joint Legislative Council Committee.

Please let me know if there are any questions on this appointment.

Sincerely,

SENATOR MARY PANZER  
Chair, Committee on Senate Organization

**State of Wisconsin  
Joint Legislative Council**

March 17, 2003

The Honorable, The Senate:

I am pleased to transmit to you the following report to the 2003 Legislature on legislation introduced by the Joint Legislative Council:

RL 2003-04 Legislation on Public and Private Broadband  
(2003 Assembly Bill 135)

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](http://www.legis.state.wi.us/lc/reports_by_topic.htm).

Sincerely,

TERRY C. ANDERSON  
Director

**State of Wisconsin  
Investment Board**

March 11, 2003

The Honorable, The Legislature:

Pursuant to s. 25.17(14r), Stats., I have attached copies of SWIB's recently revised Investment Guidelines.

I have attached a copy of the current guidelines plus a copy that shows where the changes were made. Additional information regarding the investment strategies associated with these changes will be provided in our annual performance and strategies report, which should be completed by the end of March. If you have any questions, please contact Sandy Drew (1-0182).

Sincerely,

PATRICIA LIPTON  
Executive Director

Referred to committee on **Agriculture, Financial Institutions and Insurance.**

---

**MESSAGES FROM THE ASSEMBLY**

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

**Assembly Bill 18**

**Assembly Bill 19**

**Assembly Bill 20**

**Assembly Bill 37**

**Assembly Bill 40**

**Assembly Bill 59**

**Assembly Bill 60**

**Assembly Bill 61**

**Assembly Bill 79**

**Assembly Bill 115**

**Assembly Bill 116**

**Assembly Bill 119**

**Assembly Bill 121**

Adopted and asks concurrence in:

**Assembly Joint Resolution 24**

---

**MESSAGES FROM THE ASSEMBLY  
CONSIDERED**

**Assembly Bill 18**

Relating to: the size of the county board of supervisors in populous counties.

By Representatives Krug, Freese, Sinicki, Ott, J. Lehman, Jeskewitz, Staskunas, Gundrum, Bies, Ladwig, Gielow, Gunderson, Underheim and Albers; cosponsored by Senators Kanavas, Reynolds and Schultz.

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

**Assembly Bill 19**

Relating to: benefits and eligibility of Wisconsin residents who are members of the national guard in another state.

By Representatives Towns, Suder, Musser, Petrowski, Albers, Ladwig, Jensen, Pettis, Schneider, Gronemus, Jeskewitz, Stone, Krawczyk, Turner, Lothian, Owens, Bies, Nischke, Rhoades, Vrakas, Ott, Kestell, Ward, Plouff, Gundrum, McCormick, Ainsworth, Hines, Townsend, Seratti, Gunderson and Van Roy; cosponsored by Senators Kedzie, S. Fitzgerald, Breske, Schultz, Kanavas, Welch and Roessler.

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

**Assembly Bill 20**

Relating to: staffing and military rank changes in the Department of Military Affairs.

By Representatives Musser, Pettis, Bies, Freese, Hines, Hahn, Owens, Suder, Ott and Townsend; cosponsored by Senator Brown.

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

**Assembly Bill 37**

Relating to: allowing certain school buses to tow trailers.

By Representatives Pettis, Seratti, Hines, Bies, Grothman, Krawczyk and Musser; cosponsored by Senators A. Lasee, Harsdorf and Roessler.

Read first time and referred to committee on **Higher Education and Tourism.**

**Assembly Bill 40**

Relating to: retired peace officers carrying a concealed weapon and the content of operators' licenses and identification cards issued by the Department of Transportation and requiring the exercise of rule-making authority.

By Representatives Pettis, Gundrum, Gunderson, Owens, Van Roy, Suder, Kerkman, Krawczyk, Plouff, Hines, Nass, J. Fitzgerald, Bies, F. Lasee, J. Wood, Ladwig, Vrakas, Seratti, Hahn, Stone and Petrowski; cosponsored by Senators Kanavas, Lazich, S. Fitzgerald, Stepp, A. Lasee and Roessler.

Read first time and referred to committee on **Judiciary, Corrections and Privacy**.

**Assembly Bill 59**

Relating to: name changes and names used by sex offenders and providing a penalty.

By Representatives Gundrum, Gronemus, Ziegelbauer, Gunderson, Ladwig, Grothman, Gielow, Albers, Krawczyk, Stone, Hines, Musser, Staskunas, Olsen, Plouff, Townsend, Nischke, Lassa, Wasserman, Huebsch, Pettis, J. Fitzgerald, Suder, Jeskewitz, Van Roy, Freese, Vrakas and Coggs; cosponsored by Senators Darling, Harsdorf, Reynolds, Lazich, Kedzie, Stepp, Roessler, Kanavas, Hansen and Leibham.

Read first time and referred to committee on **Judiciary, Corrections and Privacy**.

**Assembly Bill 60**

Relating to: failing to register as a sex offender and providing a penalty.

By Representatives Gundrum, Gronemus, Ziegelbauer, Ladwig, Grothman, Gielow, Stone, Hines, Musser, Nischke, McCormick, Wasserman, Krawczyk, Bies, J. Fitzgerald, Freese, Suder and Turner; cosponsored by Senators Reynolds, Darling, Lazich, Roessler, A. Lasee, Stepp, Kanavas and Leibham.

Read first time and referred to committee on **Judiciary, Corrections and Privacy**.

**Assembly Bill 61**

Relating to: creating a wireless 911 fund; imposing a surcharge on wireless telephone customers; making grants for wireless 911 emergency telephone service; providing an exemption from emergency rule procedures; granting rule-making authority; and making appropriations.

By Representatives Montgomery, Jensen, M. Lehman, Pettis, Van Roy, Weber, Turner, J. Fitzgerald, Vrakas and Nischke; cosponsored by Senators Leibham, S. Fitzgerald and Breske.

Read first time and referred to committee on **Transportation and Information Infrastructure**.

**Assembly Bill 79**

Relating to: authorizing the Wisconsin Health and Educational Facilities Authority to issue bonds to finance a project undertaken for a facility used for education by a private, tax-exempt institution.

By Representatives Wieckert, Vukmir, Jensen, Montgomery, Owens, Van Roy, Hines, Ladwig, Bies, J. Wood, Kaufert, Ainsworth, Vrakas, Hundertmark, F. Lasee, McCormick and J. Fitzgerald; cosponsored by Senators Kanavas, Schultz, S. Fitzgerald, Welch and Ellis.

Read first time and referred to committee on **Education, Ethics and Elections**.

**Assembly Bill 115**

Relating to: filing of declarations of candidacy and recording of votes received by write-in candidates in certain elections.

By Representatives Freese, Bies, Vrakas, Hines, Ladwig, Hahn, Ott, Kestell, Grothman, Kreibich, Musser and Ainsworth; cosponsored by Senators S. Fitzgerald and Schultz.

Read first time and referred to committee on **Education, Ethics and Elections**.

**Assembly Bill 116**

Relating to: use of moneys from the Wisconsin election campaign fund to make certain false representations.

By Representatives Ward, Freese, Suder, Bies, Vrakas, Hines, Ladwig, Hahn, Stone, Ott, Kestell, Albers, Kreibich, Owens, Musser and Ainsworth; cosponsored by Senators Stepp and Reynolds.

Read first time and referred to committee on **Education, Ethics and Elections**.

**Assembly Bill 119**

Relating to: reporting of information by nonresident registrants under the campaign finance law.

By Representatives Seratti, Freese, Gunderson, Vrakas, Hines, Ladwig, Hahn, Stone, Ott, Kestell, Albers, Kreibich, Owens, Musser and Pettis; cosponsored by Senator Harsdorf.

Read first time and referred to committee on **Education, Ethics and Elections**.

**Assembly Bill 121**

Relating to: recruitment, training, certification, and compensation of election officials.

By Representatives Freese, Bies, Vrakas, Hines, Stone, Ott, Kestell, Kreibich and Pettis; cosponsored by Senators S. Fitzgerald and Schultz.

Read first time and referred to committee on **Education, Ethics and Elections**.

**Assembly Joint Resolution 24**

Relating to: commending Tom Crean for being named Conference USA Coach of the Year.

By Representatives Plale, Foti, Cullen, Young, Colon and Gard; cosponsored by Senator Moore.

Read and referred to committee on **Senate Organization**.

---

**ADJOURNMENT**

Senator Zien, with unanimous consent, asked that the Senate adjourn pursuant to Senate Joint Resolution 1.

Adjourned.

11:31 A.M.

---

**LEGISLATIVE REFERENCE BUREAU  
CORRECTIONS**

**CORRECTIONS IN:**

**2003 SENATE JOINT RESOLUTION 17**

Prepared by the Legislative Reference Bureau

(March 20, 2003)

1. Page 2, line 11: delete "Ian" and substitute "Iain".