

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

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WEDNESDAY, May 14, 2003

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

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

Read and referred:

**Senate Bill 161**

Relating to: waivers of laws and administrative rules governing elementary and secondary education.

By Senators Harsdorf, Roessler, A. Lasee, Schultz, Welch, Kanavas and Darling; cosponsored by Representatives Rhoades, Gronemus, M. Lehman, Loeffelholz, Kerkman, Gundrum, Hines, Musser, Ladwig, Gunderson, J. Wood, Pettis, Ott, Hahn, Jeskewitz, Albers, Friske, Bies, Seratti, Gottlieb, Vrakas and Grothman.

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

**Senate Bill 162**

Relating to: the Youth Options Program.

By Senators Roessler, Ellis, A. Lasee and Schultz; cosponsored by Representatives Weber, Nass, Gunderson, Hahn, Albers, Owens, Musser, Petrowski, Ott, Plouff, J. Lehman and Seratti.

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

**Senate Bill 163**

Relating to: establishing a clearinghouse for information about special education transition services and vocational opportunities that are available in each county.

By Senators Roessler, Ellis, Stepp, Plale, Wirch and Robson; cosponsored by Representatives Owens, Townsend, Ladwig, Jeskewitz, J. Wood, Van Roy, Krawczyk, Bies, Loeffelholz, Musser, Hines, Berceau, Gronemus, Miller and Zepnick.

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

**Senate Bill 164**

Relating to: health insurance and vacation benefits for national guard members or reservists called into active service.

By Senators Chvala, Hansen, Decker and Robson; cosponsored by Representatives Boyle, Suder, Cullen, Sinicki, J. Lehman, Berceau, Balow and Bies.

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

**Senate Bill 165**

Relating to: prohibiting the erection of new off–premises outdoor advertising signs.

By Senators Risser and Carpenter; cosponsored by Representatives Boyle, Berceau, Black and Gielow.

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

**Senate Bill 166**

Relating to: participation in the Wisconsin Retirement System for teaching assistants and project assistants employed by the University of Wisconsin System and making an appropriation.

By Senator Risser; cosponsored by Representatives Pocan, Boyle, Black, Turner, Hahn, Miller and Berceau.

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

**Senate Bill 167**

Relating to: extending the expenditure period and the life of a tax incremental district in Sheboygan.

By Senators Leibham and Panzer; cosponsored by Representatives Kestell, Van Akkeren and LeMahieu.

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

**Senate Bill 168**

Relating to: enforcement of the one– and two–family dwelling code in certain cities, villages, and towns.

By Senators Brown, Stepp, Roessler, Darling, Cowles, Kanavas and Plale; cosponsored by Representatives J. Wood, Hebl, M. Lehman, Wieckert, Huber, J. Lehman, Cullen, Towns, Berceau, Krawczyk, Loeffelholz, Jeskewitz, Albers, Shilling, Ladwig, Gunderson, McCormick, Pope–Roberts, Van Roy, Gronemus, Suder, Ott, Musser, Bies, Vrakas and Petrowski.

To committee on **Economic Development, Job Creation and Housing**.

**Senate Bill 169**

Relating to: permitting certain individuals to make written requests for medication for the purpose of ending their lives, and providing penalties.

By Senators Risser and Carpenter; cosponsored by Representatives Boyle, Sherman, Pocan and Berceau.

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

**PETITIONS AND COMMUNICATIONS**

**Statement of Canvass  
for  
State Senator**

SPECIAL ELECTION, April 29, 2003

I, Steven V. Ponto, Chairperson of the State Elections Board, certify that the attached tabular statement, as compiled from the certified returns made to the State Elections Board by the Milwaukee County Board of Election Commissioners, contains a correct abstract of the total number of votes given for the election of a candidate for State Senator at a Special Election held in the several election districts in said county on the Twenty-ninth day of April, 2003.

I DO, THEREFORE, DETERMINE AND CERTIFY that the following candidate, having each received the greatest number of votes, is duly elected State Senator:

<u>District</u>	<u>Elected</u>
7th District	Jeff Plale

Done in the City  
of Menomonee Falls, this 5th day of  
May, 2003.

STEVEN V. PONTO  
Chairperson, State Elections Board  
Senator Plale was given the oath of office May 8, 2003.

**Statement of Canvass  
for  
State Senator**

SPECIAL ELECTION, April 29, 2003

I, Steven V. Ponto, Chairperson of the State Elections Board, certify that the attached tabular statement, as compiled from the certified returns made to the State Elections Board by the county clerks of the several counties of the state, contain a correct abstract of the total number of votes given for the election of a candidate for State Senator at a Special Election held in the several towns, wards, villages and election districts in said county on the Twenty-ninth day of April, 2003.

I DO, THEREFORE, DETERMINE AND CERTIFY that the following candidate, having each received the greatest number of votes, is duly elected State Senator:

<u>District</u>	<u>Elected</u>
24th District	Julie M. Lassa

Done in the City  
of Menomonee Falls, this 7th day of  
May, 2003.

STEVEN V. PONTO  
Chairperson, State Elections Board  
Senator Lassa was given the oath of office May 8, 2003.

**THE STATE OF WISCONSIN  
OFFICE OF THE GOVERNOR**

**EXECUTIVE ORDER #13**

***Relating to a Special Election for the Twenty-first Assembly District and the Seventy-first Assembly District***

**WHEREAS**, the Honorable Jeffrey Plale, submitted his resignation as a State Representative for the Twenty-first Assembly District, effective May 8, 2003; and

**WHEREAS**, the Honorable Julie M. Lassa, submitted her resignation as a State Representative for the Seventy-first Assembly District, effective May 8, 2003;

**NOW, THEREFORE, I Jim Doyle**, Governor of the State of Wisconsin, pursuant to section 8.50(4) of the Wisconsin Statutes, order that a special election be held on July 22, 2003 to fill the vacancies in the Twenty-first Assembly District and the Seventy-first Assembly District. A description of the boundaries of the Twenty-first Assembly District and the Seventy-first Assembly District as created in the combined cases of *Baumgart et al. v. Wendelberger*, case No. 01-C-0121 (E.D. Wis. 2002) and *Jensen et al. v. Wendelberger*, Case No. 02-C-0366 (E.D. Wis. 2002) are set out in the 2001-02 Wisconsin Statutes following section 4.005. The terms for the Twenty-first and Seventy-first Assembly Districts will expire on the first Monday in January, 2005. If a primary is necessary, it shall be held on June 24, 2003. Circulation of nomination papers for candidates may begin on May 13, 2003 and nomination papers may be filed no later than 5:00 P.M., May 27, 2003 in the office of the State Elections Board. This election shall be held, conducted, canvassed and returned in accordance with law.

**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 thirteenth day of May in the year two thousand three.

JIM DOYLE  
Governor

*BY THE GOVERNOR:*

DOUGLAS LA FOLLETTE  
Secretary of State

**State of Wisconsin  
Office of the Governor**

May 8, 2003  
The Honorable, The Senate:

This letter is to rescind the nomination of Mark Bradley that was made January 21, 2003 for the Board of Regents. Please note that a new nomination of Mark Bradley to the Board of Regents is forthcoming.

Sincerely,  
JIM DOYLE  
Governor

**State of Wisconsin  
Office of the Governor**

May 12, 2003  
The Honorable, The Senate:

This letter is to rescind the nomination of Christine Thomas that was made January 16, 2003 for the Natural Resources Board. Please note that a new nomination of Christine Thomas to the Natural Resources Board is forthcoming.

Sincerely,  
JIM DOYLE  
Governor

**State of Wisconsin  
Office of the Governor**

May 12, 2003

The Honorable, The Senate:

This letter is to rescind the nomination of Alan Grischke that was made January 16, 2003 for the Natural Resources Board. Please note that a new nomination of Alan Grischke to the Natural Resources Board is forthcoming.

Sincerely,

JIM DOYLE  
Governor

**State of Wisconsin  
Ethics Board**

May 13, 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>

Hottenroth, Theresa M **Wisconsin Association of Local Health Departments and Boards**

Jentz, Robert **Nature Conservancy – Wisconsin Chapter, The**

Longmire, Erin **MAXIMUS Inc**

Mendoza, Mario **City of Madison**

Petersen, Eric J **Cobalt Corporation/Blue Cross Blue Shield United of Wisconsin**

Taylor, Chad **Onyx Waste Services Inc**

Wilson, John D **Onyx Waste Services 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

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

To the Honorable, the Senate:

<u>Bill, Joint Resolution or Resolution Number</u>	<u>Act Number or Enrolled Number</u>	<u>Publication Date</u>
<b>Senate Bill 139</b>	Wisconsin Act 3	May 16, 2003
<b>Senate Bill 138</b>	Wisconsin Act 4	May 16, 2003
<b>Senate Bill 137</b>	Wisconsin Act 5	May 16, 2003
<b>Senate Bill 136</b>	Wisconsin Act 6	May 16, 2003

<b>Senate Bill 135</b>	Wisconsin Act 7	May 16, 2003
<b>Senate Bill 134</b>	Wisconsin Act 8	May 16, 2003
<b>Senate Bill 142</b>	Wisconsin Act 9	May 16, 2003
<b>Senate Bill 145</b>	Wisconsin Act 10	May 16, 2003
<b>Senate Bill 148</b>	Wisconsin Act 11	May 16, 2003
<b>Senate Bill 146</b>	Wisconsin Act 12	May 16, 2003
<b>Senate Bill 133</b>	Wisconsin Act 13	May 16, 2003
<b>Senate Bill 147</b>	Wisconsin Act 14	May 16, 2003
<b>Senate Bill 150</b>	Wisconsin Act 15	May 16, 2003
<b>Senate Bill 144</b>	Wisconsin Act 16	May 16, 2003
<b>Senate Bill 149</b>	Wisconsin Act 17	May 16, 2003
<b>Senate Bill 143</b>	Wisconsin Act 18	May 16, 2003
<b>Senate Bill 140</b>	Wisconsin Act 19	May 16, 2003
<b>Senate Bill 141</b>	Wisconsin Act 20	May 16, 2003
<b>Senate Bill 151</b>	Wisconsin Act 21	May 16, 2003
<b>Senate Bill 152</b>	Wisconsin Act 22	May 16, 2003

Sincerely,  
DOUGLAS LA FOLLETTE  
Secretary of State

**State of Wisconsin  
Legislative Audit Bureau**

May 8, 2003

The Honorable, The Legislature:

As required by s. 13.94(1)(em), Wis. Stats., we have completed a financial audit of the Wisconsin Lottery, which is administered by the Department of Revenue. We have issued an unqualified opinion on the Wisconsin Lottery's fiscal year (FY) 2001-02 and FY 2000-01 financial statements.

Total lottery sales increased from \$401.2 million in FY 2000-01 to \$427.6 million in FY 2001-02. The increase of \$26.4 million can primarily be attributed to ticket sales for on-line games, which, to a large extent, are related to the size of the jackpots. In August of 2001, the Wisconsin's Very Own Megabucks jackpot was unusually high at \$20.3 million, and the Powerball jackpot reached \$295.7 million – a record high jackpot at that time.

However, it should be noted that the Department of Revenue does not project this sales level to be maintained in the future. In October 2002, the Department projected FY 2002-03 lottery sales to be \$412.7 million. In addition, the Governor's 2003-05 Biennial Budget Proposal includes lottery sales estimates of \$417.2 million in FY 2003-04 and \$418.0 million in FY 2004-05. The Governor's budget also includes a proposal to privatize all lottery functions, except procurement and financial auditing services, starting in FY 2004-05.

We appreciate the courtesy and cooperation extended to us by the Department of Revenue. The Department's response follows our report.

Sincerely,  
JANICE MUELLER  
State Auditor

**State of Wisconsin  
Department of Administration**

May 7, 2003

The Honorable, The Senate:

Please find enclosed a copy of the Length of Service Award Program (LOSA) 2002 Annual Report. The report was developed by the Length of Service Award Board with support from the Department of Administration staff. The report provides an overview of the program and outlines the accomplishments for the 2002 program year.

Wisconsin State Statute 16.25(6) requires the department to submit a copy of the report to the Chief Clerk of each house annually describing the activities of the board.

If you have any questions regarding the plan, please contact Terri Lenz at the Department of Administration, Division of Housing and Intergovernmental Relations, at (608) 261-6580.

Sincerely,  
THOMAS M. KRAUSKOPF, Deputy Administrator  
Division of Housing and Intergovernmental Relations

**State of Wisconsin  
Department of Administration**

May 9, 2003

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 2003 (January 1, 2003 through March 31, 2003). 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

**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

May 6, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CONNOLLY-KEESLER, EILEEN, of Neenah, as a member of the Board of Regents, to serve for the term ending May 1, 2010.

Sincerely,  
JIM DOYLE  
Governor

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

**State of Wisconsin  
Office of the Governor**

May 7, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint RICHLEN, BETH, of Stevens Point, as a member of the Board of Regents, to serve for the term ending May 1, 2005.

Sincerely,  
JIM DOYLE  
Governor

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

**State of Wisconsin  
Office of the Governor**

May 8, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BRADLEY, MARK, of Wausau, as a member of the Board of Regents, to serve for the term ending May 1, 2010.

Sincerely,  
JIM DOYLE  
Governor

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

**State of Wisconsin  
Office of the Governor**

May 12, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GRISCHKE, ALAN, of Wausau, as a member of the Natural Resources Board, to serve for the term ending May 1, 2010.

Sincerely,  
JIM DOYLE  
Governor

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

**State of Wisconsin  
Office of the Governor**

May 12, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint THOMAS, CHRISTINE, of Plover, as a member of the Natural Resources Board, to serve for the term ending May 1, 2010.

Sincerely,  
JIM DOYLE  
Governor

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

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

Report received from Agency, May 14, 2003.

Referred to committee on **Economic Development, Job  
Creation and Housing**, May 14, 2003.

**Senate Clearinghouse Rule 03-012**

Relating to mechanical refrigeration.

Submitted by Department of Commerce.