

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

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WEDNESDAY, September 3, 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 Resolution 13**

Relating to: recognizing the existence of the Hmong culture and its value to all Wisconsinites and the right of the Hmong people to preserve their culture.

By Senators George, Kanavas, Roessler, Welch, Zien, Stepp, Carpenter, Brown and Panzer.

To committee on **Senate Organization**.

**Senate Bill 239**

Relating to: the removal of nonconforming outdoor advertising signs.

By Senators Leibham, Roessler, Breske, Reynolds, M. Meyer, Stepp and Zien; cosponsored by Representatives Seratti, Gielow, Huebsch, Gundrum, McCormick, LeMahieu, Ladwig, Freese, Friske and Krawczyk.

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

**Senate Bill 240**

Relating to: state government holidays.

By Senators Harsdorf, Chvala, Decker, Kanavas, Stepp, Lassa, Roessler, Wirsch, Darling and Plale; cosponsored by Representatives Suder, Gronemus, Lothian, Turner, Freese, Nischke, Ott, Pope–Roberts, Gunderson, Petrowski, J. Wood, Hines, Taylor, Krawczyk, Van Roy, McCormick, Honadel and Pocan.

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

**REPORT OF COMMITTEES**

The committee on **Judiciary, Corrections and Privacy** reports and recommends:

**Assembly Bill 245**

Relating to: notaries public who are not attorneys and providing penalties.

Concurrence.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

**Assembly Bill 252**

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

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

Concurrence as amended.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

**Assembly Bill 52**

Relating to: changing the name of a minor.

Concurrence.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

**Assembly Bill 62**

Relating to: dispositional orders for truancy or habitual truancy and the disclosure of juvenile records by a juvenile court or a municipal court.

Concurrence.

Ayes, 4 – Senators Zien, S. Fitzgerald, Stepp and Carpenter.

Noes, 1 – Senator George.

**Senate Bill 195**

Relating to: live birth or the circumstance of being born alive.

Passage.

Ayes, 4 – Senators Zien, S. Fitzgerald, Stepp and Carpenter.

Noes, 1 – Senator George.

**Senate Bill 231**

Relating to: changing the interest rate applicable in court actions.

Passage.

Ayes, 3 – Senators Zien, S. Fitzgerald and Stepp.

Noes, 2 – Senators George and Carpenter.

**Senate Bill 98**

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

Passage.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

David Zien  
Chairperson

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Groundwater Coordinating Council**

August 2003

The Honorable, The Legislature:

The Groundwater Coordinating Council (GCC) is pleased to release its 2003 Report to the Legislature. The GCC was formed in 1984 to help state agencies coordinate non-regulatory activities and exchange information on groundwater. The GCC has served as a model for interagency coordination and cooperation among state government officials, the Governor, local government and the federal government. It is one of the few groups in the nation to effectively coordinate groundwater activities in its state from an advisory position.

This report summarizes GCC and agency activities related to groundwater protection and management in FY 03 (July 1, 2002 to June 30, 2003) and provides an overview of the condition of the groundwater resource. See the *Executive Summary* for highlights and the GCC's recommendations in *Future Directions for Groundwater Protection*. This report is available online at <http://www.dnr.state.wi.us/org/water/dwg/gcc/index.html>.

Sincerely,

TODD AMBS  
Chair

Referred to committee on **Environment and Natural Resources**.

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

August 29, 2003

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. No payments were made during SFY 2003.

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 2003, 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  
Legislative Audit Bureau**

September 3, 2003

The Honorable, The Legislature:

We have completed financial audits of the Mendota and Winnebago Mental Health Institutes for the period July 1, 2001 through June 30, 2002. The audits were requested by the Department of Health and Family Services to comply with requirements of the Joint Commission on Accreditation of Healthcare Organizations. We are able to express an unqualified opinion on each Institute's financial statements.

The financial position of both Institutes improved significantly during fiscal year 2001-02: Mendota reported a net increase in

assets of \$2.5 million, and Winnebago reported a net increase of \$1.0 million. In addition, the Institutes have significantly reduced the negative cash balances in their appropriations, which are reported as loans from the State of Wisconsin because the State's pool of cash covers the deficits. Higher billing rates and improved billing and collection procedures have contributed to the Institutes' improved financial positions.

For several years, the Department experienced technical problems in implementing its new billing and accounting system for the Institutes, which resulted in significant billing and collection delays and accounting problems. The department is taking reasonable steps to address implementation problems and to improve the timeliness and effectiveness of its billing and collection efforts. The Department also continues to improve its process for estimating patient revenues and receivables for financial reporting.

We appreciate the courtesy and cooperation extended to us by the Department of Health and Family Services staff during our audit.

Sincerely,

JANICE MUELLER  
State Auditor

**State of Wisconsin  
Ethics Board**

September 2, 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 2003 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us>

- |                   |  |
|-------------------|--|
| Hoven, Timothy    | <b>Milwaukee Metropolitan Sewerage District</b>  |
| Schreiber, Martin | <b>Steamfitters Local 601</b>                    |
| Stewart, James    | <b>Planned Parenthood Advocates of Wisconsin</b> |
| Stewart, James    | <b>Planned Parenthood of Wisconsin Inc</b>       |
| Walsh, Kenneth    | <b>Steamfitters Local 601</b>                    |

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**

July 25, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint NEUBAUER, LISA, of Racine, as a member of the Wisconsin Professional Baseball Park District Board, to serve for the term ending July 1, 2005.

Sincerely,

JIM DOYLE  
Governor

Read and referred to committee on **Economic Development, Job Creation and Housing**.

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

**Senate Clearinghouse Rule 03-070**

Relating to greyhound racing and pari-mutuel wagering.

Submitted by Department of Administration.

Report received from Agency, September 2, 2003.

Referred to committee on **Homeland Security, Veterans and Military Affairs and Government Reform**, September 3, 2003.

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

**Senate Clearinghouse Rule 02-138**

Relating to dental specialties.

No action taken.

Carol Roessler  
Chairperson

The committee on **Homeland Security, Veterans and Military Affairs and Government Reform** reports and recommends:

**Senate Clearinghouse Rule 02-106**

Relating to the hazardous materials transportation program and to reimbursement procedures for regional and local emergency response teams.

No action taken.

**Senate Clearinghouse Rule 03-045**

Relating to the imposition of rental charges at regional transitional housing sites under the veterans assistance program.

No action taken.

Ronald Brown  
Chairperson

**State of Wisconsin  
Revisor of Statutes Bureau**

September 1, 2003

To the Honorable, the Senate:

The following rules have been published:

<b>Clearinghouse Rules</b>	<b>Effective Date(s)</b>
<b>02-141</b>	September 1, 2003
<b>02-148</b>	September 1, 2003
<b>03-007</b>	September 1, 2003
<b>03-016</b>	September 1, 2003
<b>03-043</b>	September 1, 2003

Sincerely,  
GARY L. POULSON  
Deputy Revisor

**AMENDMENTS OFFERED**

Senate amendment 1 to **Assembly Bill 204** offered by Senator Harsdorf.

Senate amendment 1 to **Senate Bill 121** offered by Senator Harsdorf.

Senate amendment 1 to **Senate Bill 212** offered by Senator Harsdorf.

**LEGISLATIVE REFERENCE BUREAU  
CORRECTIONS**

**CORRECTIONS IN:**

**2003 SENATE BILL 214**

Prepared by the Legislative Reference Bureau

(August 29, 2003)

1. Page 6, line 23: delete "175.345" and substitute "175.35".

2. Page 16, line 6: delete "not been" and substitute "not".

**MOTIONS UNDER SENATE RULE 98 AND  
JOINT RULE 7**

*for the Month of August 2003*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Breske, for Kyle Badeau, 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 Darling, for Amy Becker, on the occasion of being awarded the Nail Technician of the year 2003-2004 by Nails Magazine.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Benjamin Jay Behnke, 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 Roessler, for Paulino Belgado, on the occasion of his 8 1/2 years of service to the Waupun Correctional Institution.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator George, for Jeffrey L. Bleustein, on the occasion of his distinguished and faithful service to the Milwaukee community and Harley-Davidson's workforce.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Robert V. Blonien, on the occasion of his 36 years of service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Decker, for the Village of Brokaw, on the occasion of celebrating the Centennial of their Incorporation.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Michael E. Carratt, on the occasion of his 26 1/2 years of service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Breske, for the Town of Cassian, on the occasion of celebrating its 100th anniversary.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Thomas J. Daugherty, 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 Risser, for Michael Dimond, 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 Dennis Frautschy, 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 Harsdorf, for Mrs. Dorris Fuka, on the occasion of celebrating her 100th Birthday shared with family and friends.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Brown, for John Gunderson, 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 Roessler, for Barbara Hartwig, on the occasion of her 15 years of service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Jauch, for Hayward Area Memorial Hospital, on the occasion of celebrating its 50th Anniversary.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for the Staff and Volunteers of the Heritage of Elmwood Nursing Home, on the occasion of 30 years of dedicated service.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Decker, for Andrew Hitt, 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 Decker, for John Hocker, 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 Roessler, for Brenda M. Hubertus, on the occasion of her 17 years of service to the Waupun Correctional Institution.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Mr. James Jablonski, on the occasion of his retirement after 35 year of dedicated service as a probation and parole agent.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Reynolds, for Ali Khorsand, on the occasion of his exemplary service to the state of Wisconsin.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for John Koss, on the occasion of his vision, dedication and commitment to the people of Milwaukee with the presence of the stereo industry.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Decker, for the Ladysmith Dental Center, on the occasion of the Grand Opening of their new building.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Ellis, for Danny Lande, 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 Steven T. Lang, 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 Harsdorf, for Mr. Jack Lindstrom, on the occasion of his dedicated career serving the Pierce County Highway Patrol.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Decker, for William Luedtke, 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 Breske, for Camp Manito-wish YMCA, on the occasion of celebrating its 85th anniversary.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Brown, for Nicholas J. Martin, 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 Harsdorf, for Kevin Michael McCusker, 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 Jason M. McNally, 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 Decker, for Evan Meszaros, 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 Chvala, for Jayne Moodie, on the occasion of being recognized for her tremendous dedication to the Special Olympics for the past 25 years.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Lasee, for Michael Alan Morrison, 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 Roessler, for James R. Oestreich, on the occasion of his 27 years of service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Lasee, for Matthew E. Olson, 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 Roe Parker, on the occasion of being selected as the 2003 Citizen of the Year by the village of Brown Deer Chamber of Commerce.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Sergeant Bill Rasmussen, on the occasion of his retirement after a 28-year career as an officer with the River Falls Police Department.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator George, for Sister Joel Read, on the occasion of her distinguished and outstanding service to the community and the city of Milwaukee.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Lasee, for Noah G. Rosenthal, 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 Roessler, for Jeremiah E. Schoen, on the occasion of his 8 1/2 years of service to the Waupun Correctional Institution.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Breske, for Trevor Schroeder, 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 Roessler, for Russell G. Shoemaker, on the occasion of his 52 years of service to the Waupun Correctional Institution.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator George, for Thomas Shropshire, on the occasion of his distinguished and faithful service to the Milwaukee community and send condolences to family and friends.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Brown, for Christofer A. Smikrud, 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 Harsdorf, for the St. Croix County Association for Home and Community Education, on the occasion of its 75th anniversary.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Darling, for William Stevens, 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 Decker, for Douglas Thompson, 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 Roessler, for Melvin I. Thorp, on the occasion of his 20 years of service to the Waupun Correctional Institution.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Ellis, for Luke M. Van Hulle, 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 Roessler, for Neil H. Vande Zande, on the occasion of his 35 years of service to the Waupun Correctional Institution.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Camilla Wakeman, on the*

*occasion of her outstanding to commitment to education in the state of Wisconsin.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for James D. White, on the occasion of his 26 years of service to the Waupun Correctional Institution.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Geoffrey L. Willkomm, 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 Marcus J. Willkomm, 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 Harsdorf, for Brian Wojan, 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 Breske, for Keith G. Young, on the occasion of his retirement after dedicating a 37 year career in education .*