

STATE OF WISCONSIN
Senate Journal
Ninety–Sixth Regular Session

WEDNESDAY, August 11, 2004

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

PETITIONS AND COMMUNICATIONS

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

EXECUTIVE ORDER #65

Relating to the Recreation of the Statewide Independent Living Council for Individuals with Disabilities

WHEREAS, Title VII, Section 705 of the Rehabilitation Act of 1973, as amended by the 1998 amendments (Public law 105–220), (“the Act”) requires the Governor to establish a Statewide Independent Living Council (the “Council”) consistent with the requirements of the Act; and

WHEREAS, the Council coordinates with the Wisconsin Department of Workforce Development, Division of Vocational Rehabilitation, as the designated state unit (“DSU”) for independent living services, to promote a philosophy of independent living and empower individuals with disabilities to maximize leadership, economic self–sufficiency, independence, and inclusion and integration into society;

NOW, THEREFORE, I JIM DOYLE, Governor of the State of Wisconsin, by the authority vested in me by the Act and the Constitution and laws of the State of Wisconsin, and to ensure compliance with the Rehabilitation Act of 1973, as amended (Public Law 105–220), thereby improving the lives of Wisconsin’s individuals with disabilities and independent living systems, it is hereby ordered as follows:

1. The Statewide Independent Living Council for the State of Wisconsin is recreated consisting of eighteen (18) members. The Governor, in accordance with the language of the Act, shall make the final selections and respective appointments to the Council, except where otherwise noted;
2. The Council must include:
 - a. at least one director of a Center for Independent Living chosen by the directors of centers within the State;
 - b. at least one representative of the directors of native American Vocational Rehabilitation programs; and
 - c. as ex–officio non–voting members, a representative from the DSU and representatives from other state agencies that provide services for individuals with disabilities, including the Department of Health and Family Services, the Department of Transportation, and the Department of Commerce/Bureau of Housing;
3. The remaining eighteen (18) Council members may include other representatives from centers for independent

living; parents and guardians of individuals with disabilities; advocates of and for individuals with disabilities; representatives from private businesses; representatives from organizations that provide services for individuals with disabilities; and other appropriate individuals;

4. A majority of the members and a majority of the voting members must be individuals with disabilities, as defined in 34 C.F.R. sec. 364.4(b), and not employed by any state agency or center;

5. The Council shall be established as a private nonprofit entity incorporated in the State of Wisconsin independent from State government;

6. Each member shall serve for a term of three years and no member of the Council may serve more than two consecutive full terms. Terms of service of the members initially appointed shall be for such fewer number of years as will provide for the expiration of terms on a staggered basis. A member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed, shall be appointed for the remainder of such term;

7. The Council shall select a chairperson from among the voting membership;

8. State agencies whose duties impact independent living services to people with disabilities shall cooperate with the DSU and Council in complying with the Act; and

9. The Council’s duties are set forth under section 705(c) of the Act and shall be the following:

- a. Jointly develop and sign, in conjunction with the DSU, the State Plan, and submit the State Plan to the U.S. Department of Education, Rehabilitation Services Administration (RSA);
- b. Monitor, review and evaluate the implementation of the State Plan;
- c. Coordinate activities with the State Rehabilitation Council and other councils that address the needs of specific disability populations and issues under other Federal law;
- d. Submit to the Commissioner of RSA such periodic reports as the Commissioner may reasonably request, and keep such records, and afford such access to such records, as the Commissioner finds necessary to verify such reports;
- e. Prepare, in conjunction with the DSU, a plan for the provision of such resources, including such staff and personnel, as may be necessary and sufficient to carry out the functions of the Council;
- f. Supervise and evaluate such staff and other personnel, consistent with State and Federal law, as may be necessary to carry out the functions of the Council; and

g. Ensure that all regularly scheduled meetings of the Council are open to the public and sufficient advance notice is provided.;

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 sixth day of August in the year two thousand four.

JIM DOYLE
Governor

BY THE GOVERNOR:

DOUGLAS LA FOLLETTE
Secretary of State

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

EXECUTIVE ORDER #66

Relating to the Creation of the Governor's Inter-Agency Council on Homelessness

WHEREAS, the prevention of homelessness is an important goal for communities and the State of Wisconsin; and

WHEREAS, adequate housing and supportive services are an essential part of the health and well being of the families and residents living and working in Wisconsin; and

WHEREAS, the lack of access to mainstream services such as mental health, alcohol and drug services and medical assistance are causal factors in the increase of the homeless population; and

WHEREAS, Wisconsin supports more than 46 agencies that provides 480,000 nights of shelter annually; and

WHEREAS, the number of shelter providers in Wisconsin has increased by 33% since 1995 to meet the 70% increase in numbers of persons receiving emergency shelter for homelessness with at least 24,000 people being turned away due to lack of resources throughout the state during the same time; and

WHEREAS, thirty-six percent of the homeless population are children whose futures are at risk due to the interruption of stability and education during the developmental period of their lives; and

WHEREAS, Wisconsin is committed to establish collaboration and lines of communication between federal, state, county, and local levels of mainstream social program service providers; and

WHEREAS, Wisconsin is committed to the well-being of its families and residents by increasing the availability of affordable housing stock and by requiring social service providers to coordinate benefits and simplify access to the systems necessary to decrease the number of persons experiencing homelessness and who are at risk of becoming homeless;

NOW, THEREFORE, I JIM DOYLE, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the Laws of this State, and specifically by Wis. Stat. sec. 14.019, do hereby:

1. Create the Governor's Inter-Agency Council on Homelessness ("Council");
2. Provide that the Council shall consist of not more than fifteen (15) members appointed by the Governor to serve at the pleasure of the Governor;
3. Provide that the Governor shall designate two (2) members on the Council as chair and vice-chair to serve in this capacity at the pleasure of the Governor;
4. Provide that the Council shall be responsible for making recommendations that would lead to:

- a. Increasing the availability of and access to housing for homeless individuals and families;
- b. Improving access to and expanding services for homeless individuals and families;
- c. Improved coordination and planning between state departments;
- d. Improved and expanded access to federal resources;
- e. Enhanced homelessness prevention efforts;
- f. Continued improvement of data collections;
- g. Development of outcome based performance standards for the plan, identifying responsible agencies and setting time lines for completion;

5. Direct the Department of Administration to provide the Council with such sums of money as are necessary for travel and operating expenses in accordance with Wis. Stat. sec. 20.505(4)(ba); and

6. Require the Council to submit a final report on its findings and recommendations to the Governor and that the Council shall dissolve when its final report is accepted by the Governor.

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 ninth day of August in the year two thousand four.

JIM DOYLE
Governor

BY THE GOVERNOR:

DOUGLAS LA FOLLETTE
Secretary of State

**State of Wisconsin
Department of Public Instruction**

August 3, 2004

The Honorable, The Legislature:

Enclosed please find a report on the Student Achievement Guarantee in Education (SAGE) program provided in accordance with s. 118.43(5)(b), Wisconsin Statutes. This material is provided in written form at the direction of Russ Whitesel, Legislative Council staff attorney.

Please contact me if you have questions or wish to discuss the information.

Sincerely,
ELIZABETH BURMASTER
State Superintendent

**State of Wisconsin
Department of Commerce**

July 30, 2004

The Honorable, The Legislature:

The attached report has been sent to you pursuant to s. 1.11(2)(j), Stats. This section requires agencies to submit a report to the chief clerk of each house of the legislature, with the report to include the number of proposed actions for which the agency conducted an assessment of whether an impact statement was required and the number of impact statements prepared.

The report encompasses the activities of the Wisconsin Department of Commerce for the period from July 1, 2003 to July 1, 2004.

Any questions concerning this report may be directed to Dennis W. Kozich, Chief Legal Counsel, at 608/266-3203.

Sincerely,
CORY L. NETTLES
Deputy Secretary

State of Wisconsin

August 2, 2004

The Honorable, The Senate:

Pursuant to Senate Rule 20(2)(a) and (b) I have appointed Senator Carol Roessler to the Women’s Council for the term ending July 1, 2006, and Senator Mary Lazich to the Women’s Council for the term ending July 1, 2005.

With regards to members of the minority party, appointments are made based on the nominations of that caucus.

Sincerely,

SENATOR MARY PANZER
Senate Majority Leader

**State of Wisconsin
Ethics Board**

August 10, 2004

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>

Driessen, Anthony **Bowling Centers Association of Wisconsin**

Fonfara, Thomas **Bowling Centers Association of Wisconsin**

Hoglund, Lindsay **Wisconsin Credit Union League**

Hoven, Timothy **Wisconsin Insurance Alliance**

O’Meara, Jack **Wisconsin Insurance Alliance**

Tierney, Jodie **Nestle Waters North America (formerly Perrier Group of America)**

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**

August 5, 2004

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BHUPINDER, SAINI, DR., of Cudahy, as a member of the Medical Examining Board, to serve for the term ending July 1, 2008.

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**

August 6, 2004

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SUJATHA, KAILAS, DR., of Fond Du Lac, as a member of the Medical Examining Board, to serve for a term ending July 1, 2008.

Sincerely,

JIM DOYLE
Governor

Read and referred to committee on **Health, Children, Families, Aging and Long Term Care.**

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

Senate Clearinghouse Rule 04–027

Relating to public librarian certification.

Submitted by Department of Public Instruction.

Report received from Agency, August 6, 2004.

Referred to committee on **Education, Ethics and Elections**, August 11, 2004.

Senate Clearinghouse Rule 04–056

Relating to operation of the health insurance risk–sharing plan (HIRSP).

Submitted by Department of Health and Family Services.

Report received from Agency, August 6, 2004.

Referred to committee on **Health, Children, Families, Aging and Long Term Care**, August 11, 2004.

Senate Clearinghouse Rule 04–054

Relating to gas systems.

Submitted by Department of Commerce.

Report received from Agency, August 6, 2004.

Referred to committee on **Economic Development, Job Creation and Housing**, August 11, 2004.

The committee on **Environment and Natural Resources** reports and recommends:

Senate Clearinghouse Rule 04–022

Relating to wastewater treatment works compliance maintenance.

No action taken.

Neal Kedzie
Chairperson

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

Senate Clearinghouse Rule 04–045

Relating to the fee for monitoring radiation emissions in the vicinity of nuclear power plants.

No action taken.

Carol Roessler
Chairperson