

STATE OF WISCONSIN

Senate Journal

Eighty-Eighth Regular Session

10:00 A.M.

TUESDAY, June 9, 1987

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

The senate stood for the prayer which was offered by Brother Norbert Karpfinger of Thomas More High School, Milwaukee.

The senate remained standing and Senator Lasee led the senate in the pledge of allegiance to the flag of the United States of America.

The roll was called and the following senators answered to their names:

Senators Adelman, Andrea, Buettner, Chilsen, Chvala, Cowles Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Leean, Moen, Norquist, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 32.

Absent — Senator Lorman — 1.

Absent with leave -- None.

LEAVE OF ABSENCE

By request of Senator Engeleiter, with unanimous consent, Senator Lorman was granted a leave of absence until 11:00 A.M.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 289

Relating to permits to capture or destroy deer causing damage to land.

By Senators Kincaid, Rude, Lasee, Kreul, Moen and Roshell; cosponsored by Representatives Swoboda, Volk, Holschbach, Ourada, Porter, Goetsch, Welch, Gronemus, Johnsrud, Vergeront, Zeuske, Larson, Potter and Bolle.

To committee on Transportation, Tourism and Conservation.

Senate Bill 290

Relating to proof of financial responsibility by fitness centers, employe staffing requirements for fitness centers, granting rule-making authority and providing a penalty.

By Senators Lee, Kreul, Chvala, Buettner, Feingold and Chilsen; cosponsored by Representatives Young, Roberts, Wineke, Johnsrud, Fortis, Carpenter, Krusick and Notestein, by request of Attorney General Donald J. Hanaway.

To committee on Judiciary and Consumer Affairs.

Senate Bill 291

Relating to offenses against animals and providing a penalty.

By Senators Davis, Czarnezki, Weeden, Lorman and Buettner; cosponsored by Representatives Tesmer, Huelsman, Carpenter, Fortis, Berndt and McEssy.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends:

Assembly Joint Resolution 43

Relating to the life and public service of Mark Catlin, Jr.

Concurrence:

Ayes, 5 -- Senators Risser, Strohl, Norquist, Engeleiter and Ellis;

Noes, 0 -- None.

FRED A. RISSER
Chair

The committee on Labor, Business, Insurance, Veterans and Military Affairs reports and recommends:

HAASE, ROBERT DUANE, of Marinette, as Insurance Commissioner, to serve for the term ending March 1, 1991.

Confirmation:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

Senate Bill 208

Relating to denials of applications for alcohol beverages licenses.

Passage:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

Assembly Bill 94

Relating to the age at which a person may obtain an alcohol beverages operator's license.

Concurrence:

Ayes, 6 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle and Kreul;

Noes, 2 -- Senators Chilsen and Leean.

JEROME VAN SISTINE
Chair

The committee on Transportation, Tourism and Conservation reports and recommends:

Assembly Bill 34

Relating to designating the ice age national scenic trail as a state scenic trail and making an appropriation.

Concurrence:

Ayes, 7 -- Senators Kincaid, Moen, Roshell, Andrea, Kreul, Rude and Weeden;

Noes, 0 -- None.

Assembly Bill 37

Relating to places where water skiing is permitted.

Concurrence:

Ayes, 7 -- Senators Kincaid, Moen, Roshell, Andrea, Kreul, Rude and Weeden;

Noes, 0 -- None.

LLOYD H. KINCAID
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Wisconsin Housing and
Economic Development Authority
May 29, 1987

To the Honorable the Legislature

I am pleased to transmit to you the following report:
**CREDIT RELIEF OUTREACH PROGRAM
MONTHLY REPORT**

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available upon request from the Wisconsin Housing and Economic Development Authority (WHEDA), 1 South Pinckney, Suite 500, or by calling (608) 266-7884.

Sincerely,
RICHARD J. LONGABAUGH
Executive Director

State of Wisconsin
Claims Board
June 5, 1987

To the Honorable the Senate

Enclosed is the report of the State Claims Board covering claims heard on June 4, 1987.

The Board is preparing a bill on the recommended award over \$1,000, and will submit such to the Joint Finance Committee for legislative introduction.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

Sincerely,
EDWARD D. MAIN
Secretary

**STATE OF WISCONSIN
CLAIMS BOARD**

The State Claims Board conducted a hearing at the State Capitol Building, Madison, Wisconsin on June 4, 1987, upon the following claim:

Claimant	Amount
Marvin & Carol Wagner, Jr.	76,508.70

THE BOARD FINDS:

1. Marvin and Carol Wagner of Wautoma claim \$76,508.70 for property damage, income loss, miscellaneous expenses, barnyard replacement and pain and suffering relating to a fire on their farm in Waushara County on June 2, 1984, allegedly started by a foster child living in claimant's home. As a result of the fire, claimants allege the loss of two barns, small animal housing, nursery and calf raising space, a shop and machine shed, tools and stored supplies, 11 dairy heifers, a feed mill, bedding, hay, a paved cow lot and the family dog. Claimant's received \$11,774.30 from their private insurance carrier and \$5,000 from a Department of Health and Social Services insurance policy in effect at the time of the incident, for the damage to their property. The Board recommends the claim be paid in the reduced amount of \$15,170.70, representing \$4,800.00 to replace the barnyard, \$8,270.70 for uninsured property damage and \$2,100.00 for out-of-pocket clean up costs, based on equitable principles. The Board further recommends under authority of s. 16.007(6m), Stats, payment should be made from the Department of Health and Social Services appropriation s. 20.435(4)(cf), Stats. Separate opinion by members Wilker and Schneider: Member Wilker and Schneider concur in payment of the claim but are of the opinion that the recommended amount should be higher.

THE BOARD RECOMMENDS:

1. Payment of \$15,170.70 to Marvin and Carol Wagner for reimbursement of out-of-pocket expenses resulting from the fire on their farm, caused by a foster child living in their home in 1984.

Dated at Madison, Wisconsin this 4th day of June, 1987.

GARY R. GEORGE
Senate Finance Committee
MARLIN D. SCHNEIDER
Assembly Finance Committee
RAYMOND P. TAFFORA
Representative of Governor
EDWARD D. MAIN
Representative of Secretary of Administration
WILLIAM H. WILKER
Representative of Attorney General

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

June 1, 1987

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JENNIFER H. OLSON of LaCrosse to the Cosmetology Examining Board, pursuant to the statute governing, effective July 1, 1987, for a four-year term to expire July 1, 1991.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Agriculture, Health and Human Services.

State of Wisconsin
Office of the Governor

June 1, 1987

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOHN J. JARVIS of Whitefish Bay to the Board of Regents, University of Wisconsin System, pursuant to the statute governing, to serve a term to expire May 1, 1989.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Education.

State of Wisconsin
Office of the Governor

June 1, 1987

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROBERT S. GAISWINKLER of Brookfield to the Savings and Loan Review Board, pursuant to the statute governing, to serve a term to expire May 1, 1991.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Economic Development, Financial Institutions and Fiscal Policies.

State of Wisconsin
Office of the Governor

June 1, 1987

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOHN W. FORSTER of Menasha to the Fox River Management Commission, pursuant to the statute governing, to serve a term to expire March 1, 1990.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Urban Affairs, Energy, Environmental Resources and Elections.

State of Wisconsin
Office of the Governor

June 1, 1987

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BETTY BURGETT of Platteville to the Domestic Abuse Council, pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Agriculture, Health and Human Services.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 86-223

Relating to determining eligibility for benefits.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, June 5, 1987.

Referred to committee on Labor, Business, Insurance, Veterans and Military Affairs, June 9, 1987.

Senate Clearinghouse Rule 87-31

Relating to approval of indexes used for variable rate loans by savings and loan associations.

Submitted by Office of the Commissioner of Savings and Loan.

Report received from agency, June 5, 1987.

Referred to committee on Economic Development, Financial Institutions and Fiscal Policies, June 9, 1987.

Senate Clearinghouse Rule 87-45

Relating to registration for internship.

Submitted by Pharmacy Internship Board.

Report received from agency, June 5, 1987.

Referred to committee on Agriculture, Health and Human Services, June 9, 1987.

Senate Clearinghouse Rule 87-20

Relating to conversion of a nursing home or a distinct part of a nursing home to be an intermediate care facility for the mentally retarded.

Submitted by Department of Health and Social Services.

Withdrawn by agency.

The committee on Economic Development, Financial Institutions and Fiscal Policies reports and recommends:

Senate Clearinghouse Rule 86-164

Relating to the prohibition of preferential treatment on loan transactions for credit union officials.

No action taken.

BARBARA L. ULICHNY
Chair

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Upon motion of Senator Strohl the senate adjourned
until 10:00 A.M. Thursday, June 11.

10:20 A.M.

Senate Bill 45
Senate Bill 57
Senate Bill 166

Correctly enrolled and presented to the Governor on
June 9, 1987.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 22