

Eighty-Eighth Regular Session

WEDNESDAY, November 2, 1988

The chief clerk makes the following entries under the above date.

State of Wisconsin
Legislative Audit Bureau

November 1, 1988

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of Revenue

July 11, 1988

To the Honorable the Legislature

Department of Revenue report required by sections 73.03(29) and (30), Stats., relating to (individual income tax filers) by school districts, received.

Sincerely,
MARK D. BUGHER
Secretary of Revenue

State of Wisconsin
Department of Industry,
Labor and Human Relations

October 25, 1988

To the Honorable the Legislature

The Department of Industry, Labor and Human Relations respectfully submits the Job Centers report as required under s. 3030, 1987 Senate Bill 100.

The Department's Division of Employment and Training Policy utilized a competitive process to award the authorized \$150,000. Nine proposals were submitted and four were funded. The projects selected represent three different Job Center models.

The four projects, in the Southwest, Northwest, Central Wisconsin and the Northern Lake Winnebago Service Delivery Areas, have been operational for six months. Substantial progress has been made during that period of time. There are functioning Job Centers in three of the pilot areas. In each, the partner agencies (located in the same offices) offer clients services provided under JTPA, the Job Service, selected Vocational, Technical and Adult Education classes and welfare programs. One of the Projects, which had Job Centers prior to the contract period, has identified substantial cost efficiencies as a result of partner agency participation in the Job Centers.

For questions about the Job Centers project, please contact June Suhling, Administrator, Division of Employment and Training Policy at 266-2439.

We will be providing you with a second progress report in the spring and a final report in September 1989.

Sincerely,
JOHN T. COUGHLIN
Secretary

To the Honorable the Legislature

We have completed an audit of the Office of the Commissioner of Savings and Loan as required by s. 13.94, Wis. Stats. The primary focus of our audit was to assess the Office's effectiveness in regulating the savings and loan industry and its compliance with statutory requirements. We also reviewed the fiscal operations of the Office to ensure that financial resources are contacted federal savings and loan regulators, evaluated office policies and procedures, examined financial records, and reviewed examination and complaint files.

The Office, which has an annual program revenue budget of \$900,000, is composed of the Commissioner, Deputy Commissioner, and a 15.5 member staff of examiners, legal counsel and clerical personnel. The Office's objectives, as detailed in ch. 215, Wis. Stats., are to regulate the state-chartered savings and loan industry and to act on behalf of the public in ensuring its interests are adequately served and protected. To accomplish these objectives, the Office conducts examinations of savings and loan associations in conjunction with the examining staff of the Federal Home Loan Bank. The Office also analyzes financial trends related to the industry, investigates consumer complaints, and analyzes applications for new savings and loan association charters.

Overall, the Office appears to be effectively regulating the state-chartered savings and loan industry. In 1987, composite financial indicators of the soundness of Wisconsin's 54 savings and loan associations ranked 55 percent higher than the the national average, and the net worth of these associations ranked 94 percent over the national average. We also found that examinations are being performed within the 18 month statutorily required time period and consumer complaints are efficiently and effectively handled.

However, the Office has not established any formal policies or procedures to address the use of state-chartered savings and loan associations by office staff. Although there are no statutory provisions restricting the use and association with regulated savings and loans by office staff, policies should be in place that identify allowed and restricted uses of state-chartered savings and loans so that staff cannot benefit or be perceived to benefit by their regulatory positions. We did not determine the extent to which office staff have financial relationships with the savings and loan associations they regulate.

JOURNAL OF THE SENATE [November 2, 1988]

Minor fiscal compliance and internal control findings were also communicated to the Office in an interim memorandum and have been resolved. Because of the lack of significant findings, we are not issuing an audit report. Our work does, however, satisfy our audit requirements under s. 13.94, Wis. Stats.

Dale Cattanaach
State Auditor

State of Wisconsin
Office of the Secretary of State

October 26, 1988

To the Honorable the Senate

I have the honor to transmit to you the following information pursuant to s. 13.685(7):

Sincerely,
DOUGLAS LAFOLLETTE
Secretary of State

NEWLY REGISTERED LOBBYISTS AND THEIR PRINCIPALS:

CHRISTIANSON, PETER C., 660 E. Mason St., Milwaukee, WI 53202-3877 (414) 271-5900

1) American Family Life Assurance Co., Jim Taylor, Regulatory Counsel, 1932 Wynnton Rd., Columbus, GA 31999 (404) 323-3431 (all matters related to insurance)

HEPHNER, GERVAASE A., 14 S. Carroll St., Madison, WI 53703 (608) 257-3000

1) WI State Horse Council, David Petrie, N7986 Stommel Rd., Menasha, WI 54952 (414) 989-1274 (any legislative or administrative action concerning bridal trails, horses, ory any other issues pertinent to the horse industry)

SOSNOWSKI, LEONARD S., 1 S. Pinckney St., Ste 701, Madison, WI 53701 (608) 257-5035

1) WI Merchants Federation, Douglas Q. Johnson, 30 W. Mifflin St., Madison, WI 53703 (608) 257-3541 (state tax legislation)

WINKEL, DAVID J., 6208 W. Tower Ave., Brown Deer, WI 53223 (414) 355-1126

1) DOC's Jewelry and Loan, Inc., Robert Olson, 5431 W. Lisbon Ave., Milwaukee, WI 53210 (414) 445-5475 (amending Wis. Stat. 138.10(4m))

ZIMMERMAN, PAUL SCOTT, 14 S. Carroll St., Madison, WI 53703 (608) 257-3000

1) WI State Horse Council, David Petrie, N7986 Stommel Rd., Menasha, WI 54952 (414) 989-1274 (any legislative or administrative action concerning bridal trails, horses, ory any other issues pertinent to the horse industry)

ADDRESS CHANGE:

John C. Metcalf changes address to: Rt. 3, Dodgeville, WI 53533, Phone: (608) 935-3132

STATE AGENCY CHANGES:

Commissioner of Securities: ADD: Wesley Ringo and Patricia D. Struck, (consumer affairs, partnerships and corporations, regulation and licensing and state government) DELETE: Ann Marie Brady

State Public Defender, DELETE: Judith Collins
ADD: Nicholas Chiarkas (courts and procedures, criminal/penal/police agency budget)

State of Wisconsin
Claims Board

October 26, 1988

To the Honorable the Senate

Enclosed is the report of the State Claims Board covering claims heard on October 14, 1988.

The amounts recommended for payment under \$1000 on claims included in this report have, under the provisions of s. 16.007, Wisconsin Statutes, been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) 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 hearings at the State Capitol Building, Madison, Wisconsin on October 14, 1988 upon the following claims:

| Claimant | Amount |
|--------------------------------------|--------------|
| John Roberts | \$ 37,543.00 |
| Anthony, Katherine & Robert Hamilton | 432,298.81 |
| B & K Builders, Inc. | 75,334.00 |
| Cochran, Fox & Co., Inc. | 2,411.42 |
| Jean Goodenough | 1,350.00 |
| Bell Ambulance | 22,802.50 |

In addition, the following claims were considered and decided without hearings:

| | |
|---------------------------|--------------|
| Dennis Costello | 23,687.08 |
| City of Beloit | 2,826.08 |
| Ellory Laval Rhone | 21.99 |
| Ruth Clevon | 45.00 |
| Roger Heinen, Jr. | 53.94 |
| Zante Painting Co. | 45,965.00 |
| Jim Valeria | 1,438.32 |
| Maribeth Stumpf | 73.80 |
| Donna Schmidt | 418.68 |
| American Family Insurance | 1,246.23 |
| Clara Mattox | 6,365,671.87 |
| Betty Richmond | 1,127.54 |

| | |
|------------------|----------|
| Frances Belstner | 52.50 |
| David Nicholson | 2,401.10 |
| Richard Freeman | 2,006.00 |
| Ronald Leiner | 812.00 |
| Agnes Ackerkund | 110.00 |

THE BOARD FINDS:

1. John Roberts of Stevens Point, Wisconsin, claims \$37,543.00 for taxes, interest, accounting fees and lost income allegedly incurred when the Department of Employee Trust Funds provided him with the incorrect amount of his taxable income when he retired in 1985. On the "Statement for Recipients of Total Distributions," form 1099R, the Department of Employee Trust Funds understated claimant's taxable income by \$12,486.56 for his 1985 tax year. When the error was discovered in June, 1987, claimant was required to file amended federal and state tax returns and pay additional tax plus interest on the \$12,486.56. Claimant contends that if he had been given accurate information, he would have rolled the entire taxable amount into an IRA, on which he would have earned income on a tax deferred basis until withdrawal. The Board finds no liability on the part of the state and concludes this claim is not one for which the state should assume and pay based on equitable principles. (Member Schneider dissents).

2. Anthony, Katherine and Robert Hamilton of De Pere, Wisconsin, claim \$432,298.81 for medical expenses, lost wages and pain and suffering allegedly resulting from an accident Anthony was involved in on April 1, 1987. Anthony was assisting the driver of a stalled vehicle on the Mason Street Bridge in Green Bay, Wisconsin, when the vehicle he was working on was struck from behind by another vehicle, allegedly causing bodily injury to Anthony. Claimants allege the accident occurred because the bridge was negligently designed and constructed, without an emergency lane to move the stalled vehicle out of the lane of traffic on the bridge. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

3. B & K Builders, Inc., of Marshfield, Wisconsin, claims \$75,334.00 as compensation for an error in their bid to the Department of Administration on April 21, 1988, for improvements to the University Village Apartments at the University of Wisconsin-Green Bay. Due to a clerical error, claimant listed the overhead figure of \$92,000 as \$9,200 in the final tabulation of the bid. As a result, claimant understated its bid by \$83,614.00. Under s. 16.855(4), Stats., if a bid contains an error, omission or mistake, the bidder may limit liability to the amount of the bidder's bid guarantee by giving written notice of intent not to execute the contract to the Department of Administration within 72 hours of the bid opening. Claimant opted to sign and perform the contract rather than seeking recovery of their bid security. The board concludes there has been an

insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles. (Member Main not participating.)

4. Cochran, Fox & Co., Inc., of Oshkosh, Wisconsin, claims \$2,411.42 as compensation for providing in-court testimony in the case of State of Wisconsin vs. Gene Binder. Attorney David Lisko was appointed to represent Gene Binder, a public defender client. On September 18, 1986, Mr. Lisko hired claimant as an accident reconstruction expert to assist in the case. State Public Defender guidelines authorize \$2,500 for an accident reconstruction. Payments for investigative or expert services are made to the private bar attorney as the private contractor for the case. Mr. Lisko paid claimant \$2,729.31. Attorney Steve Luchsinger was later appointed to the case and on December 11, 1987, he requested approval of \$1,250 in additional funds for claimant's services. The Public Defender's office approved \$350 for claimant's court testimony. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles. (Member Wilker not participating).

5. Jean Goodenough of Madison, Wisconsin, claims \$1,350.00 for replacement of the diamond from her ring allegedly lost on January 26, 1988, during part of a training exercise at the Mendota Mental Health Institute. Claimant believes the diamond fell out of her ring while she was searching clothing. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles. (Member Schneider dissents).

6. Bell Ambulance of Milwaukee, Wisconsin, claims \$22,802.50 for payment of ambulance services it provided in 1986 and 1987, to HealthReach of Wisconsin, a Health Maintenance Organization (HMO). HealthReach entered into a contract with the Department of Health & Social Services to provide health care to medical assistance recipients enrolled in the HMO. HealthReach then contracted with claimant to provide its services. HealthReach received a capitation payment from the Department of Health & Social Service for each enrollee. HealthReach ceased doing business as an HMO in September 1987, when it was liquidated by the Commissioner of Insurance. Claimant seeks damages against the state as guarantor of HealthReach. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

7. Reserve Judge Dennis Costello of Ellison Bay, Wisconsin, claims \$23,687.08 for reimbursement of attorney fees pursuant to s. 757.99, Stats., incurred in defense of misconduct charges brought against him by the Judicial Commission in July, 1986. The Judicial Commission filed the complaint alleging that claimant lent the influence of his name and the prestige of his office to aid or advance the welfare of a private interest, in violation of a rule of the Code of Judicial Ethics. On February 29, 1988, the Wisconsin Supreme Court concluded that claimant did not violate any Supreme Court rules and dismissed the complaint. The Board considered the guidelines currently in existence under Supreme Court Rule 81.02 and recommends that the claim be paid in the reduced amount of \$10,845.58. The Board further recommends under authority of s. 16.007(6m), Stats., payment should be made from the Claims Board appropriation s. 20.505(4)(d), Stats.

8. City of Beloit claims \$2,826.08 for fringe benefits, health insurance and overtime wages paid to its employe, Thomas Johnson, as a result of an injury he sustained on September 4, 1987, while he was a volunteer emergency government worker during a state of emergency declared by the Governor. Mr. Johnson was injured while helping an injured person in an automobile. Pursuant to Chapter 102, Stats., claimant was reimbursed \$4,312.73 for Mr. Johnson's temporary total disability and medical expenses. The Board recommends the claim be paid based on equitable principles. The Board further concludes under authority of s. 16.007(6m), Stats., payment of \$1,413.04 should be made from the Division of Emergency Government appropriation s. 20.505(2)(a), Stats., and payment of \$1,413.04 should be made from the Department of Military Affairs appropriation s. 20.465(1)(q), Stats.

9. Ellory Laval Rhone of Madison, Wisconsin, claims \$21.99 for replacement of his trousers allegedly damaged on July 12, 1988, while he was installing teleprocessing equipment at the Western Wisconsin Technical Institute in La Crosse. The damage occurred while claimant was performing his duties as an employe of the Department of Industry, Labor & Human Relations. Due to the Board's change in policy in August, 1987, it will no longer award payment for this type of claim. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles. (Member Schneider dissents).

10. Ruth Clevon of Madison, Wisconsin, claims \$45.00 for replacement of her slacks allegedly damaged on April 13, 1988, at the Department of Development, where she is employed. Her slacks became caught and torn on a large splinter of wood sticking out of a door frame. Due to the Board's change in policy in August, 1987, it will no longer award payment for this type of claim. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not

one for which the state is legally liable nor one which the state should assume and pay based on equitable principles. (Member Schneider dissents).

11. Roger Heinen, Jr. of Foxboro, Wisconsin, Claims \$53.94 for replacement of his shoes allegedly damaged while helping suppress a fire at Pattison State Park on June 5, 1988. Claimant is employed by the Department of Natural Resources as a limited term employe park ranger at Pattison State Park. The Board concludes the claim should be paid based on equitable principles. The Board further concludes under authority of s. 16.007(6m), Stats., payment should be made from the Department of Natural Resources appropriation s. 20.370(1)(mu), Stats.

12. Zante Painting Company, Company, Inc. of Alsip, Illinois, claims \$45,965.00 for payment of work performed under a contract between the Department of Transportation and Tony & Sons Painting & Decorating Contractor, Inc., in 1984. The contractor, Tony & Sons, hired claimant to paint state bridge structures. In June and July, 1985, the Department of Transportation declared Tony & Sons in default of all contracts. No liens were filed and the prime contractor's surety for the project went bankrupt. Consideration was given to the information supplied since the Board's hearing of this claim on October 8, 1986. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

13. Jim Valeria of Deerfield, Wisconsin, claims \$1,438.32 for repairs to his son Scott's automobile allegedly damaged in an accident on Highway 68, East of Fox Lake, Wisconsin, on April 3, 1988. The accident occurred when Scott's vehicle caught the shoulder of the road causing him to lose control of the vehicle and hit two other vehicles in the other lane. Claimant contends the shoulder of the road was improperly maintained contributing to the loss of control of the vehicle. The County is responsible for shoulder maintenance on this roadway. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents and employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

14. Maribeth Stumpf of Shorewood, Wisconsin, claims \$73.80 for the uninsured amount to replace her car radio/cassette deck, allegedly stolen from her car on December 17, 1987, while it was parked near the Milwaukee High School of the Arts. Claimant was visiting the High School for a University of Wisconsin-Milwaukee Pre-College Center recruitment effort. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

15. Donna Schmidt of Milwaukee, Wisconsin, claims \$418.68 as the amount of health insurance premiums erroneously deducted from her pay checks by the University of Wisconsin-Milwaukee from 1984 through 1986. In December, 1987, claimant inquired about the amount of deduction from her paycheck for health insurance benefits. The University of Wisconsin-Milwaukee Benefits Office determined that claimant was being charged the family rate rather than the single person rate she had requested. Claimant was reimbursed for the 1987 overcharge, however, the Department of Employee Trust Funds policies preclude reimbursement for the years prior to 1987. The Board concludes the claim should be paid in the reduced amount of \$283.08, based on equitable principles. The Board further concludes under authority of s. 16.007(6m), Stats., payment should be made from the University of Wisconsin appropriation s. 20.285(1)(a), Stats.

16. American Family Insurance Company of Eau Claire, Wisconsin, claims \$1,146.23 subrogation damages and \$100.00 for the deductible amount paid by its insured, David Marquardt, for damages incurred to the insured's motorcycle on April 20, 1988. The insured's motorcycle was allegedly damaged when it was tipped over by a resident of the Northern Wisconsin Center. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employees and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

17. Clara Mattox of Glendale, Wisconsin, claims \$6,365,671.87 for damages relating to the foreclosure of the Steven Bryant Nursing Home owned and operated by claimant. Claimant alleges that during the state receivership of the Nursing Home in 1978, the state received monies for prior services but failed to pay the mortgage resulting in the foreclosure of the Home. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employees and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles. (Member George dissents).

18. Betty Richmond of Dodgeville, Wisconsin, claims \$1,127.54 for medical expenses and general damages allegedly resulting from an injury she sustained on June 27, 1988, at the Department of Transportation state office building in Madison, Wisconsin. As claimant attempted to open the door to the west entrance of the building, the bottom of the door struck her foot, causing a laceration to the small toe of her right foot. An investigation by State Protective Services determined the door was in good operating condition at the time of this incident. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employees and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

19. Frances Belstner of Cottage Grove, Wisconsin, claims \$52.50 for the cost of repairing her watch allegedly damaged on February 11, 1988, when she slipped and fell in the Department of Transportation state office building in Madison, Wisconsin. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employees and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles. (Member Wilker not participating).

20. David Nicholson of Milwaukee, Wisconsin, claims \$2,401.10 for reimbursement of a tax assessment, plus interest, levied by the Department of Revenue on October 24, 1983, as a result of claimant's failure to file income tax returns for the years 1979 through 1982. On June 11, 1984, claimant filed his tax returns for the years 1979 and 1980. In January, 1985, the Department of Revenue initiated collection action against claimant under s. 71.135, Stats., by withholding monies through claimant's employer. On January 10, 1986, claimant filed his tax returns for 1981 and 1982. The Department of Revenue then determined that claimant's actual tax liability was \$334.07, resulting in an overpayment of taxes in the amount of \$2,095.00. Pursuant to s. 71.10(10)(e), Stats., a claim for refund must be made within two years after the assessment of tax. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employees and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

21. Richard Freeman of Boulder Junction, Wisconsin, claims \$2,006.00 for reimbursement of taxes assessed by the Department of Revenue due to his failure to file a 1980 income tax return. Claimant submitted his 1980 tax return to the Department of Revenue in June, 1982. The Department of Revenue credited the 1980 overpayment to claimant's 1981 estimated tax. The Department of Revenue received and processed claimant's 1981 tax return in January 1985. The Department of Revenue auditor who processed the return failed to recognize that claimant was entitled to an estimated tax credit of \$2,006.00. The Board finds there was some negligence on the part of claimant in not filing a timely tax return and concludes the claim should be paid in the reduced amount of \$1,000.00 based on equitable principles. The Board further concludes under authority of s. 16.007(6m), Stats., payment should be made from the Claims Board appropriation s. 20.505(4)(d), Stats.

22. Ronald Leiner of Waterford, Wisconsin, claims \$812.00 for his 1986 tax refund which was intercepted by the Department of Revenue and applied to a 1984 tax delinquency. In February, 1988, claimant submitted information to satisfy liability concerning the 1984 wage statements and reconciliation, and the delinquent balance on claimant's account was reduced to zero. Pursuant to s. 71.10(10)(e), Stats., a claim for refund must be made within two years after the assessment of a tax. The Board concludes there has been an insufficient

showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

23. Agnes Ackerlund of Chippewa Falls, Wisconsin, claims \$110.00 for reissuance of a stale dated check issued in the name of her sister, Pauline Dachel. The check is dated March 11, 1981, and Ms. Dachel died on March 1, 1981. The State Treasurer's office has confirmed that the check is still outstanding. The Board concludes the claim should be paid based on equitable principles. The Board further concludes under authority of s. 16.007(6m), Stats., payment should be made from the Claims Board appropriation s. 20.505(4)(d), Stats.

THE BOARD CONCLUDES:

1. The claims of the following claimants should be denied:

| | |
|--------------------------|--------------------|
| John Roberts | Jim Valeria |
| Anthony, Katherine & | Maribeth Stumpf |
| Robert Hamilton | American Family |
| Insurance | |
| B & K Builders, Inc. | Clara Mattox |
| Cochran, Fox & Co., Inc. | Betty Richmond |
| Jean Goodenough | Frnaces Belstner |
| Bell Ambulance | David Nicholson |
| Ellory Laval Rhone | Ronald Leiner |
| Ruth Cleven | Zante Painting Co. |

2. Payment of the following amounts to the following claimants is justified under s. 16.007, Stats.

| | |
|-------------------|----------|
| Roger Heinen, Jr. | 53.94 |
| Donna Schmidt | 283.08 |
| Richard Freeman | 1,000.00 |
| Agnes Ackerlund | 110.00 |

THE BOARD RECOMMENDS:

1. Payment of \$10,845.58 to Dennis Costello for reimbursement of his attorney fees pursuant to s. 757.99, Stats.

2. Payment of \$2,826.08 to the City of Beloit for reimbursement of fringe benefits, health insurance and overtime wages paid to its employe, Thomas Johnson, as result of an injury he sustained on September 4, 1987, while acting as a volunteer emergency government worker during a state of emergency declared by the Governor.

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

SENATE CLEARINGHOUSE ORDERS

State of Wisconsin
Revisor of Statutes Bureau

November 1, 1988

Donald J. Schneider
Senate Chief Clerk
Dear Mr. Schneider:

The following rules have been published and are effective:

- Clearinghouse Rule 86-207 effective November 1, 1988.
- Clearinghouse Rule 86-244 effective November 1, 1988.
- Clearinghouse Rule 86-247 effective November 1, 1988.
- Clearinghouse Rule 87-125 effective November 1, 1988.
- Clearinghouse Rule 87-129 effective November 1, 1988.
- Clearinghouse Rule 87-150 effective November 1, 1988.
- Clearinghouse Rule 87-153 effective November 1, 1988.
- Clearinghouse Rule 87-176 effective November 1, 1988.
- Clearinghouse Rule 88- 6 effective November 1, 1988.
- Clearinghouse Rule 88- 11 effective November 1, 1988.
- Clearinghouse Rule 88- 12 effective November 1, 1988.
- Clearinghouse Rule 88- 31 effective November 1, 1988.
- Clearinghouse Rule 88- 36 part eff. *November 1, 1988.
- Clearinghouse Rule 88- 43 effective November 1, 1988.
- Clearinghouse Rule 88- 58 effective November 1, 1988.
- Clearinghouse Rule 88- 67 effective November 1, 1988.
- Clearinghouse Rule 88- 71 effective November 1, 1988.
- Clearinghouse Rule 88- 75 effective November 1, 1988.
- Clearinghouse Rule 88- 96 effective November 1, 1988.

*Part effective January 1, 1989.

Sincerely,
GARY L. POULSON
Assistant Revisor

Senate Clearinghouse Rule 87-47

Relating to insurance policies containing claims-made provisions and for transactions involving insurance policies with claims-made provisions.

Submitted by Office of the Commissioner of Insurance.

Withdrawn by agency, October 28, 1988.

Senate Clearinghouse Rule 87-156

Relating to general hazard fire prevention in public buildings and places of employment.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, October 28, 1988.

Referred to committee on Labor, Business, Insurance, Veterans' and Military Affairs, November 2, 1988.

Senate Clearinghouse Rule 88-2

Relating to supportive services for persons with Alzheimer's disease and for their caregivers.

Submitted by Department of Health and Social Services.

Report received from agency, October 28, 1988.

Referred to committee on Aging, Banking, Commercial Credit and Taxation, November 2, 1988.

Senate Clearinghouse Rule 88-28

Relating to forms used by the commissioner's office.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, October 28, 1988.

Referred to committee on Labor, Business, Insurance, Veterans' and Military Affairs, November 2, 1988.

Senate Clearinghouse Rule 88-69

Relating to definitions.

Submitted by Department of Regulation and Licensing.

Report received from agency, October 31, 1988.

Referred to committee on Agriculture, Health and Human Services, November 2, 1988.

Senate Clearinghouse Rule 88-128

Relating to quarterly wage reporting procedures.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, October 31, 1988.

Referred to committee on Labor, Business, Insurance, Veterans' and Military Affairs, November 2, 1988.

Senate Clearinghouse Rule 88-138

Relating to the Wisconsin development zone program.

Submitted by Department of Development.

Report received from agency, October 31, 1988.

Referred to committee on Economic Development, Financial Institutions and Fiscal Policies, November 2, 1988.

Senate Clearinghouse Rule 88-140

Relating to the Wisconsin office of health care information.

Submitted by Department of Health and Social Services.

Report received from agency, October 31, 1988.

Referred to committee on Agriculture, Health and Human Services, November 2, 1988.

Senate Clearinghouse Rule 88-142

Relating to district board member appointments.

Submitted by Board of Vocational, Technical and Adult Education.

Report received from agency, October 28, 1988.

Referred to committee on Education, November 2, 1988.

Senate Clearinghouse Rule 88-143

Relating to the health insurance risk-sharing plan (HIRSP) eligibility criteria, the required notice of HIRSP under s. 632.785, Stats., deductible reductions available to low-income HIRSP policyholders and HIRSP cost containment standards.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, October 31, 1988.

Referred to committee on Labor, Business, Insurance, Veterans' and Military Affairs, November 2, 1988.

Senate Clearinghouse Rule 88-155

Relating to minimum standards for Medicare supplement policies.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, October 28, 1988.

Referred to committee on Labor, Business, Insurance, Veterans' and Military Affairs, November 2, 1988.

Senate Clearinghouse Rule 88-156

Relating to pilot export development loans.

Submitted by Department of Development.

Report received from agency, October 28, 1988.

Referred to committee on Economic Development, Financial Institutions and Fiscal Policies, November 2, 1988.

Senate Clearinghouse Rule 88-161

Relating to treatment alternative program grants to local agencies to provide alcohol or other drug abuse treatment services to persons referred from the criminal justice system who would otherwise be jailed or imprisoned.

Submitted by Department of Health and Social Services.

Report received from agency, October 31, 1988.

Referred to committee on Agriculture, Health and Human Services, November 2, 1988.

Senate Clearinghouse Rule 88-186

AN ORDER to create a shoreland-wetland zoning ordinance for the city of Marinette.

Submitted by Department of Natural Resources.

Report received from agency, October 31, 1988.

Referred to committee on Urban Affairs, Energy, Environmental Resources and Elections, November 2, 1988.

The committee on Education reports and recommends:

Senate Clearinghouse Rule 88-118

Relating to student academic misconduct.

No action taken.

Joseph Czarnecki
Chair

The committee on Housing, Government Operations and Cultural Affairs reports and recommends:

Senate Clearinghouse Rule 86-210

Relating to the uniform dwelling code.

No action taken.

John R. Plewa
Chair

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

Senate Clearinghouse Rule 88-111

Relating to compensation paid to a producer of title insurance.

No action taken.

Jerome Van Sistine
Chair

The committee on Aging, Banking, Commercial Credit and Taxation reports and recommends:

Senate Clearinghouse Rule 87-180

Relating to determining that commercial breeding and raising of llamas is farming.

No action taken.

Senate Clearinghouse Rule 88-51

Relating to public utility taxation and waste treatment facilities for utility companies.

No action taken.

Senate Clearinghouse Rule 88-71

Relating to the location of, and receipts provided by, remote service units, customer bank communications terminals and remote terminals.

No action taken.

Senate Clearinghouse Rule 88-98

Relating to fees for mortgage bankers, loan originators, loan solicitors and financial examinations and transition provisions.

No action taken.

Russell D. Feingold
Chair

The committee on Agriculture, Health and Human Services reports and recommends:

Senate Clearinghouse Rule 88-124

Relating to the medical assistance program.

Modifications approved:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Review period waived:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Rodney C. Moen
Chair