

STATE OF WISCONSIN

Senate Journal

Ninetieth Regular Session

2:00 P.M.

Tuesday, January 15, 1991

The senate met.

The senate was called to order by Senator George.

The Chair, with unanimous consent, asked that the calling of the roll be dispensed with.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 2

Relating to extending the deadline for introduction of the executive budget bill or bills and submittal of the state budget report.

By Senators Risser, Helbach, Chvala, Ellis and Rude; cosponsored by Representatives Kunicki, Travis and Prosser.

To committee on Senate Organization.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 1

Relating to creating a private cause of action for certain civil rights violations.

By Senators Feingold, Burke, Czarnecki, Ulichny and Chvala; cosponsored by Representatives M. Coggs, Gruszynski, Fortis, Notestein, Lautenschlager, Bock, Carpenter, Moore, Seery, Rohan and Young.

To committee on Judiciary and Consumer Affairs.

Senate Bill 2

Relating to tattooing of children and providing a penalty.

By Senator Potter; cosponsored by Representative Baumgart.

To committee on Judiciary and Consumer Affairs.

Senate Bill 3

Relating to requests for increased appropriations to state agencies.

By Senators Risser, Moen, Chvala, Buettner, Breske, Huelsman, Feingold, Berndt and Helbach; cosponsored by Representatives Black, Stower, Van Dreel, Clarenbach, Wineke, Notestein, Duff, Young, Musser, Roberts, Carpenter, Baldus, Plache, Cullen, Gronemus, Potter, Gruszynski, Lautenschlager, Bell, Medinger, M. Coggs, Grobschmidt, Huber, Hamilton, Bock, Fortis, Boyle, Moore and Harsdorf.

To committee on Judiciary and Consumer Affairs.

Senate Bill 4

Relating to judge disqualification.

By Senator Adelman; cosponsored by Representative Rutkowski.

To committee on Judiciary and Consumer Affairs.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Wisconsin State Senate

January 8, 1991

To the Honorable, the Senate:

Pursuant to section 13.15 of the Wisconsin Statutes and Senate Rule 5, I hereby appoint Donna J. Doyle as Assistant Chief Clerk of the Senate, giving her all powers as are derived from and inherent in said position and to perform the duties and functions of the office in the absence of the Chief Clerk.

Sincerely,
DONALD J. SCHNEIDER
Senate Chief Clerk

State of Wisconsin
Department of Natural Resources

January 7, 1991

To the Honorable the Legislature:

Section 29.095(6)(c) Wisconsin Statutes requires the Department of Natural Resources to report annually to you for distribution to the legislature under s. 13.172(2) concerning the distribution of a pamphlet on the Medicare Assignment Program.

The DNR distributed 14,000 copies of this pamphlet to senior citizens that purchased the senior citizen recreation card or obtained the free senior citizen fishing license in 1990.

Sincerely,
Douglas E. Poole

State of Wisconsin
Ethics Board

January 1, 1991

To the Honorable the Senate

At the direction of s. 13.685(7), *Wisconsin Statutes*, I am furnishing you with recent changes in the Ethics Board's registry of principals and lobbyists.

AUTHORIZATION TO LOBBY IS GRANTED:

The following organization(s) indicated they have newly authorized as their paid lobbyist(s) the individuals identified below:

Mitchell Hagopian, 121 S. Pinckney St., Madison, WI
53703 608-251-4008

JOURNAL OF THE SENATE [January 15, 1991]

1) Center for Public Representation, Inc.

Statements that identify state agency officers and employees whose job duties include attempting to influence legislation s. 13.695 and principal expense statements s. 13.68 are available for review at the Wisconsin Ethics Board.

Sincerely,
R. ROTH JUDD
Executive Director
State of Wisconsin
Retirement Research Committee

December, 1990

To the Honorable the Legislature:

I am pleased to transmit to you the following report to the 1991 Legislature on 1990 COMPARATIVE STUDY OF MAJOR PUBLIC EMPLOYEE RETIREMENT SYSTEMS

I would appreciate your including this letter in the Journal for the information of the membership.

Sincerely,
Blair Testin
Director

State of Wisconsin
Legislative Audit Bureau

January 9, 1991

To the Honorable the Legislature:

We have completed a comprehensive review of the Educational Communications Board (ECB), including an analysis of its expanding responsibilities in public broadcasting and educational communications. We believe ECB's responsibilities require clarification in light of its relationship to the University of Wisconsin-Extension, which also has public broadcasting responsibilities, and recent changes in educational communications technology.

ECB and UW-Extension have worked to consolidate their broadcasting responsibilities to achieve greater efficiency and cost savings. To ensure consolidation efforts are appropriately managed, however, improvements are needed in the planning, budgeting, and personnel management activities they share. Full accountability may not be possible until one agency is given full responsibility for the State's public broadcasting activities.

New technology continues to expand the availability and use of instructional programming from outside the classroom. While we believe ECB should be assigned responsibility for coordinating the use of these technologies statewide, it will need to better address the needs and concerns of state and local educational agencies and better manage the State's investment in these technologies. Changes in the composition of the Board might assist in emphasizing educational concerns.

Finally, the Wisconsin Public Broadcasting Foundation, Inc., has become involved in activities beyond those authorized by statute. We believe the

statutes should be clarified to restate the limits the Legislature intends to place on the Foundation's activities.

We appreciate the courtesy and cooperation extended to us by ECB and its staff and by UW-Extension staff. Responses from the Executive Director of ECB and the President of the University of Wisconsin are the appendices.

Sincerely,
DALE CATTANACH
State Auditor

State of Wisconsin

Department of Health and Social Services

December 28, 1990

To the Honorable the Legislature:

Wisconsin Act 413 authorized three State Health Insurance Program (SHIP) pilots to test approaches to reducing the number of uninsured in the state. State Statutes s. 146.90(4)(a)(b) and (c) direct the Department to do the following by January 1, 1991:

(a) Conduct the pilot projects specified in sub. (4m) and submit a detailed evaluation of the pilot projects to the Joint Committee on Finance.

(b) Submit to the Joint Committee on Finance a revised plan for a state health insurance program under sub. (1)(a) that is designed in accordance with sub. (1)(c) and (d) and a revised plan for an alternative health care coverage program under sub. (1)(e), each of which incorporate the results of the evaluation of the pilot projects under par. (a) and includes detailed cost estimates of implementing the programs on a statewide basis and operating them for a 10-year period beginning July 1, 1991.

(c) Submit specific recommendations to the Joint Committee on Finance regarding all of the following:

1. The advisability of implementing the programs on a statewide basis.
2. The most expedient method of implementing the programs on a statewide basis.
3. The most expedient method of generating the general program revenues necessary to achieve implementation on a statewide basis.

In addition, s. 46.03(38)(b), requires that the Final Report also be submitted to the Chief Clerk of each house of the Legislature for distribution to the Legislature. The Department has conducted the State Health Insurance Pilot Projects. Attached is the Department's Report. Also included is a copy of the Evaluation Report Required by s. 46.03(38)a), conducted by the University of Wisconsin-Madison's Center for Health Policy and Program Evaluation (CHPPE).

Sincerely,
Patricia A. Goodrich

JOURNAL OF THE SENATE [January 15, 1991]

Secretary
State of Wisconsin
Department of Health and Social Services
January 4, 1991

To the Honorable the Legislature:

1989 Act 31, Section 3023 (24x) provided for a committee to examine the impact of statutes and rules on rural hospitals. The committee's purpose was to relieve the unnecessary burdens placed on rural hospitals by Wisconsin's statutes and rules, without compromising the quality of care that rural hospitals provide. I am transmitting the committee's report as required in its legislative charge, for distribution to the Legislature in the manner provided in section 13.172(2) of the statutes. The full legislative charge is contained in Appendix 4 of the attached report.

The committee had nine members, representing the Wisconsin Department of Health and Social Services, Wisconsin Hospital Association, Rural Wisconsin Hospital Cooperative, University of Wisconsin's Office of Rural Health, rural hospitals, and consumers. I chaired this committee, which met monthly during 1990, including twice at rural sites. The attached report reflects the committee's discussions and its consensus findings and recommendations. Please note the report contains a three page Executive Summary.

I wish to express my appreciation to many people and organizations for their cooperating in the work of this committee, and the preparation of this report. These include committee members, DHSS staff, Wisconsin Hospital Association, Department of Industry, Labor and Human Relations, Department of Regulation and Licensing, and the Wisconsin Counties Association. I would like to extend a special thanks to those Wisconsin rural hospitals which provided their time, meeting sites, and most importantly, their information and insight.

Sincerely,
Patricia A. Goodrich
Secretary
State of Wisconsin
University of Wisconsin System
January 9, 1991

To the Honorable the Legislature:

Section 20.923(5), Wis. Stats., requires that the Board of Regents assign specified titled positions to salary ranges in whatever manner the board determines. The Board is required to file a report annually with the Governor and Legislature.

The board has directed that all positions referenced in s. 20.923(5) be assigned to either a State Executive Salary Group or to a UW System salary range based on the following assignment criteria:

I. Positions subject to state Executive Salary Group assignment.

A. All positions referenced in s. 20.923(5) which carry the following titles regardless of annual salary:

Associate Vice Presidents
Assistant Vice Presidents
Associate Chancellors
Vice Chancellors not designated in s. 20.923(4)(8)

Associate Vice Chancellors
Assistant Vice Chancellors
Assistant Chancellors

B. All positions carrying the titles of Assistant to the Chancellor or directors or associate directors with over 50 percent of their activities coded as physical plant, general operations and services, and auxiliary enterprises whose fiscal year annual salary rate exceeds the maximum of pay range 1-17 (1990-91 maximum is \$52,889) of the general non-represented pay schedule #1.

II. Positions subject to UWS Salary Range Assignment:

All Assistants to the Chancellor and directors or associate directors with over 50 percent of their position assigned to an enumerated activity code in the statute whose annual salary does not exceed the maximum of pay range 1-17.

Part A of the attached report designates those positions assigned to State Executive Salary Groups and Part B provides the minimum and maximum for those positions assigned to a UWS Salary Range. The report is dated January 1, 1991 and serves to fulfill this calendar year's reporting requirement.

Sincerely,
KENNETH A. SHAW
President

State of Wisconsin
Office of Justice Assistance

January 2, 1991

To the Honorable the Legislature:

RE: Wisconsin's FFY-91 Statewide Anti-Drug Abuse Law Enforcement Strategy Request for State Legislature Review and Comment.

The Anti-Drug Abuse Act of 1988 mandates that the participating state's Legislature or its designated body be offered an opportunity for review of FFY-91 Grant Applications for funds at the same time the state submits an application to the U. S. Department of Justice, Bureau of Justice Assistance (BJA). The Act allows the Legislature 30 days for review and comment.

Enclosed is a copy of our application being submitted simultaneously to BJA on behalf of Wisconsin, for accessing \$8,108,000.00 in FFY-91 criminal justice system-related funds for combatting drug abuse

JOURNAL OF THE SENATE [January 15, 1991]

throughout the State. While the Strategy portion of the application addresses needs and goals of the entire system, including education/prevention and treatment/rehabilitation, the major emphasis is on drug law enforcement, prosecution and adjudication.

I would very much appreciate your review and a favorable response as soon as possible. Thank you in advance for your timely assistance. Please contact me (266-7488) should you require additional information.

Sincerely,
Jerome D. Lacke
Executive Director

Referred to the committee on Judiciary and Consumer Affairs.

State of Wisconsin
Claims Board

January 9, 1991

To the Honorable the Senate

Enclosed is the report of the State Claims Board covering claims heard on December 19, 1990.

The amounts recommended for payment under \$2000 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 \$2,000, if any, 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 September 25, 1990, upon the following claims:

Claimant	Amount
Peter and Patricia DeSantis	3,642.15
Rudy Herzog	14,406.75
James Slovik	6,614.27

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

Glenn and Carol Peterson	26,918.67
Jeffrey Graupner	774.75
Mark Habermann	181.87
Mary Krueger	16.00
Dennis Thompson	945.00
Todd Zangl	250.00
Troy Lee	130.00
Gene Miller	6,000.00
Robert Crist	205.95

Scott Hefti	88.90
Ray Stanley	6,030.92
Steve and Dax	248.37
Eugene and Lois Kakes	149,556.22
Milwaukee Milk Producers Coop.	130,953.87
Farmers Union Milk Cooperative	568,053.96
Manitowoc Milk Producers Coop.	1,198,242.92
City of Oshkosh	45,523.27
Oliver Andrews	7,210.01
Dennis Costello	10,845.58
Alan Fohr	7,127.61
Neil and Charley De Lorenzo	23,954.72

THE BOARD FINDS:

1. Peter and Patricia DeSantis of Wausau, Wisconsin, claim \$3,642.15 for cleaning, landscaping and home repair costs allegedly resulting from water damage to their home after heavy rains on May 24 and 29, 1989. Claimants' property borders on Park Road, the access road for Rib Mountain State Park. Claimants allege the state altered the natural runoff flow on Rib Mountain, created unreasonable drainage patterns and unreasonably diverted collected runoff water onto their property. 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.

2. Rudy Herzog on behalf of Bear Realty of Kenosha, Wisconsin, claims \$14,406.75 as a commission fee he alleges the Department of Health and Social Services agreed to pay him for locating property for a Correctional Center in Kenosha in 1988. A draft Request for Proposals (RFP) state that a commission would be paid to a broker who successfully negotiated a purchase and any necessary zoning approvals for property for the Correctional Center. The draft RFP was never approved or published. The State subsequently contracted with the City of Kenosha to act as the state's agent for negotiating the purchase of properties in the City. 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.

3. James Slovik of Portage, Wisconsin, claims \$6,614.27 for attorney fees incurred in defense of criminal charges filed against him under s. 94.029, Stats., on December 8, 1989. Claimant is a prison guard at the Columbia Correctional Institute. An inmate at the Institute alleged that claimant assaulted him on September 24, 1989. After a preliminary hearing in Columbia County Circuit Court on March 28, 1990, claimant was bound over for trial. The District Attorney subsequently recommended dismissal of the criminal complaint against claimant. Judge Willis dismissed the complaint on August 3, 1990. The Board finds the facts

of this case are not clear and convincing and therefore, concludes the claim should be paid in the reduced amount of \$1,500.00 based on equitable principles. The Board further concludes under authority of s. 16.007(6m), Stats., payment should be made from the Department of Corrections appropriation s. 20.410(1)(a), Stats. payment should be made from the Department of Health and Social Services appropriation s. 20.435(1)(a), Stats.

4. Glenn and Carol Peterson of Wauwatosa, Wisconsin, claim \$26,918.67 for taxes unlawfully collected on the gain on the sale of their Wisconsin residence in 1978. Claimants allege the tax imposed on the gain realized on the sale of their Wisconsin residence violates the privileges and immunities clause of the United State Constitution as established in Huhnen v. Musolf, 143 Wis. 2d 134. 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.

5. Jeffrey Graupner of Menasha, Wisconsin, claims \$774.75 for lost wages, medical expenses and pain and suffering allegedly resulting from a back injury he sustained on November 28, 1989, when he fell on some ice in the parking lot at the Wisconsin National Guard Armory in Appleton, Wisconsin. Claimant alleges the fall resulted from negligent maintenance of the parking lot. On the date of this incident, the Appleton Armory performed its usual snow and ice removal procedures. 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.

6. Mark Habermann of South Milwaukee, Wisconsin, claims \$181.87 for replacement of his camera allegedly damaged at the Wisconsin Conservation Corps warehouse in Milwaukee, Wisconsin, on August 13, 1990. Claimant was using his camera to photograph corps crews as requested by his manager. The camera was accidentally knocked to the ground by a corps member who was unloading lumber. 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 Wisconsin Conservation Corps appropriation s. 20.399(1)(a), Stats.

7. Mary Krueger of Marathon, Wisconsin, claims \$16.00 for repairing her ring allegedly damaged while she was working at the Department of Transportation Travel Station in Abbotsford, Wisconsin on July 19, 1990. While reaching into a carrying case, claimant's ring caught the edge of the case, bending one of the prongs and dislodging the sapphire stone. 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.

8. Dennis Thompson of Green Bay, Wisconsin, claims \$945.00 for the replacement cost of his hearing aid allegedly lost on January 7, 1990, at the Green Bay Correctional Institution where he is employed. Claimant's hearing aid fell off when he was struck in the head while attempting to break up a fight between two inmates. The Department of Corrections has compensated claimant in the amount of \$590.00 for the loss of his hearing aid. The Board concludes the claim should be paid in the reduced amount of \$355.00, based on equitable principles. The Board further concludes under authority of s. 16.007(6m), Stats., payment should be made by the Department of Corrections appropriation s. 20.410(1)(a), Stats.

9. Tod Zangl of Waukesha, Wisconsin, claims \$250.00 for uninsured damages to his vehicle allegedly incurred on July 3, 1990, when he was involved in an automobile accident. The accident occurred while claimant was driving to the House of Corrections to interview clients as part of his regular duties as an employe of the Department of Corrections. Claimant was stopped at a red light when his vehicle was struck from behind by an uninsured motorist. 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.

10. Troy Lee of Hudson, Wisconsin, claims \$130.00 for replacement of his tent allegedly damaged by a wild raccoon at the Willow River State Park on July 4, 1990. Claimant was camping in the park at the time of this incident. Even though legal title to all wild animals in Wisconsin is vested in the state pursuant to s. 29.02(1), Stats., mere ownership does not create legal liability for damages done by wild animals. 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.

11. Gene Miller of Port Edwards, Wisconsin, claims \$6,000.00 for expenses incurred in May, 1990, to set up a cranberry operation near Bingham Creek in Adams County after the Department of Natural Resources incorrectly advised him that the project would not have any adverse impact on the fishery in the creek. Subsequently, the Department of Natural Resources determined that claimant's project could have an adverse impact on the sensitive trout fishery in the stream. As result, claimant voluntarily withdrew his application. The Board concludes the claim should be paid in the reduced amount of \$2,000.00 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(3)(ma), Stats.

12. Robert Crist of Darlington, Wisconsin, claims \$205.95 for the cost of repairing his fence allegedly damaged by a state vehicle on December 4, 1988. The fence was allegedly damaged when a state employee driving a state-owned vehicle swerved to avoid a deer on the road. 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.(3)(mu), Stats.

13. Scott Hefti of Wauwatosa, Wisconsin claims \$88.90 for medical expenses allegedly resulting from an injury sustained by his four year old son, Graham, at the Mirror Lake State Park on July 3, 1990. Graham fell off a bench in the shower room at the campground and hit his head. 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.

14. Ray Stanley, on behalf of the Lake Wopogasset/ Bear Trap Improvement Association, in Amery, Wisconsin, claims \$6,030.92 for operating a water safety patrol unit in 1989. Under s. 30.79, Stats., water safety patrol aids are available to municipalities. The Town of Lincoln has decided not to fund a water safety patrol unit and there is no authority for providing state aids to water safety patrol efforts funded by private lakeshore property owners' associations. 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. Steve and Ann Dax of Kewaunee, Wisconsin, claim \$248.37 for the cost of repairing a bulk milk tank allegedly damaged by a Department of Agriculture, Trade and Consumer Protection (DATCP) inspector on July 27, 1990. During a routine inspection of claimant's dairy farm, DATCP food inspector Pat Cherek turned on the cooler switch on the bulk milk tank. The tank had been turned off for repairs and Mr. Cherek's action allegedly resulted in damage to the motor of the tank. 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 Agriculture, Trade and Consumer Protection appropriations s. 20.115(1)(a) and 20.115(1)(gb), Stats.

16. Eugene and Lois Kakes of Bryant, Wisconsin, claim \$149,556.22 for loss of sales of seed potatoes from 1977-1978 and 1983-1984. Claimant is a potato farmer. Prior to leasing farm land from another farmer, claimant asked the Department of Agriculture, Trade and

Consumer Protection (DATCP), Division of Plant Industry, whether the land had any history of potato rot nematode (PRN), a worm which attacks potatoes causing rot. Claimant alleges the DATCP informed him the farm had been inspected in the past and the farm never had PRN. Upon harvesting his potato crop, claimant found the crop infested with PRN. The crop was disposed of and the entire farm was out of production for two years, causing great financial harm to claimant. In 1983, claimant leased another parcel of farmland and claimant alleges the DATCP advised him that the land had no history of PRN. In March, 1984, while grading the potato lot for shipment, it was discovered that the lot was infested with PRN. The DATCP alleges it did not have prior knowledge that either of the fields leased by claimant had been infested with PRN. 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.

17. Milwaukee Cooperative Milk Producers of Brookfield, Wisconsin, claims \$130,953.87 for loss of income by its dairy farmer members who shipped milk to Kasson, Inc. in 1989. Kasson, Inc., declared bankruptcy on May 2, 1989, owing \$2,489,200.00 to over 200 milk producers. Claimants contend the Department of Agriculture, Trade and Consumer Protection (DATCP) is responsible for the loss because of its regulation of Kasson, Inc., under the dairy plant security law. When DATCP called for Kasson's security in 1989, the company did not comply, it went bankrupt. The Board recommends the claim be paid in the reduced amount of \$43,651.29, based on equitable principles. The Board 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 further recommends payment of similar claims by milk producer cooperatives or farmers for losses relating to the Kasson, Inc. bankruptcy if such claims are filed with the State Claims Board by January 31, 1991.

18. Farmers Union Milk Cooperative of Madison, Wisconsin, claims \$568,053.96 for loss of income by its dairy farmer members who shipped milk to Kasson, Inc. in 1989. Kasson, Inc., declared bankruptcy on May 2, 1989, owing \$2,489,200.00 to over 200 milk producers. Claimants contend the Department of Agriculture and Trade and Consumer Protection (DATCP) is responsible for the loss because of its regulation of Kasson, Inc., under the dairy plant security law. When DATCP called for Kasson's security in 1989, the company did not comply, it went bankrupt. The Board recommends the claim be paid in the reduced amount of \$189,351.32, based on equitable principles. The Board 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 further recommends payment of similar claims by milk producer cooperatives or

farmers for losses relating to the Kasson, Inc. bankruptcy if such claims are filed with the State Claims Board by January 31, 1991.

19. Manitowoc Milk Producers Cooperative of Manitowoc, Wisconsin, claims \$1,198,242.92 for loss of income by its dairy farmer members who shipped milk to Kasson, Inc. in 1989. Kasson, Inc., declared bankruptcy on May 2, 1989, owing \$2,489,200.00 to over 200 milk producers. Claimants contend the Department of Agriculture and Trade and Consumer Protection (DATCP) is responsible for the loss because of its regulation of Kasson, Inc., under the dairy plant security law. When DATCP called for Kasson's security in 1989, the company did not comply, it went bankrupt. The Board recommends the claim be paid in the reduced amount of \$399,414.30, based on equitable principles. The Board 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 further recommends payment of similar claims by milk producer cooperatives or farmers for losses relating to the Kasson, Inc. bankruptcy if such claims are filed with the State Claims Board by January 31, 1991.

20. City of Oshkosh claims \$45,523.27 for law enforcement services provided on October 12, 19, 26 and November 2, 1989, related to demonstrations near the University of Wisconsin-Oshkosh campus. On those dates, a number of persons gathered to demonstrate and protest issues related to the state's drinking age and enforcement of the drinking age law. The demonstrations occurred near the Oshkosh campus and around the Public Safety Building of the City of Oshkosh and the Winnebago County Courthouse. The City provided police response to the demonstrations and called in several other nearby police agencies for assistance. The police services were not provided directly to state facilities and were not requested by a University official. 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. Oliver Andrews of Stevens Point, Wisconsin, claims \$9,613.35 for legal fees incurred in defense of sexual assault charges filed against him in the Portage County Circuit Court in 1985. Claimant was employed as a chemistry professor at the University of Wisconsin-Stevens Point and the victim of the alleged assaults was one of claimant's students. In January, 1986, a trial was held on the criminal matter resulting in a verdict of acquittal of the claimant. On August 17, 1987, the Claims Board recommended payment of this claim in the reduced amount of \$7,210.01, based on equitable principles. The Board's recommendation failed to pass in the last session of the Legislature. The Board concludes this claim should be paid in the reduced amount of \$2,000.00, 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.

22. 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 the Supreme Court rules and dismissed the complaint. On October 14, 1988, the Claims Board recommended payment for this claim in the reduced amount of \$10,845.58. The Board's recommendation failed to pass in the last session of the Legislature. The Board recommends that the claim be paid in the 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.

In addition, the following claims were scheduled on request for rehearing:

23. The Claims Board originally heard the claim of Alan Fohr on June 13, 1990, which claim was denied. Claimant has now petitioned the Board for reconsideration of his claim in the amount of \$7,127.61 for reimbursement of capital gains taxes, plus interest, paid on the sale of his Wisconsin home in 1977. The Board concludes the petition for rehearing should be denied.

24. The Claims Board originally heard the claim of Cornelius and Charley De Lorenzo on June 13, 1990, which was denied. Claimants have now petitioned the Board for reconsideration of their claim in the amount of \$23,954.72 for reimbursement of legal fees and capital gains taxes, plus interest, paid on the sale of their Wisconsin home when they moved in 1981. The Board concludes the petition for rehearing should be denied.

THE BOARD CONCLUDES:

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

Peter and Patricia DeSantis
Rudy Herzog
Glenn and Carol Peterson
Jeffrey Graupner
Mark Krueger
Todd Zangl
Troy Lee
Scott Hefti
Ray Stanley
Eugene and Lois Kakes
City of Oshkosh
Alan Fohr
Neil and Charley De Lorenzo

JOURNAL OF THE SENATE [January 15, 1991]

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

James Slovik	\$1,500.00
Mark Habermann	\$181.87
Dennis Thompson	\$355.00
Gene Miller	\$2,000.00
Robert Crist	\$205.95
Steve and Ann Dax	\$248.37
Oliver Andrews	\$2,000.00

THE BOARD RECOMMENDS:

1. Payment of \$43,651.29 to Milwaukee Milk Producers Cooperative for loss of income by its dairy farmer members who shipped milk to Kasson, Inc. in 1989.

2. Payment of \$189,351.32 to Farmers Union Milk Cooperative for loss of income by its dairy farmer members who shipped milk to Kasson, Inc. in 1989.

3. Payment of \$399,414.30 to Manitowoc Milk Producers Cooperative for loss of income by its dairy farmer members who shipped milk to Kasson, Inc. in 1989.

4. Payment of \$10,835.58 to Dennis Costello for reimbursement of his attorney fees pursuant to s. 757.99, Stats.

Dated at Madison, Wisconsin this 7th day of January, 1991.

GARY R. GEORGE
Senate Finance Committee

WALTER J. KUNICKI
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

January 7, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PATRICK J. FIEDLER of Madison, as Secretary of the Department

of Corrections pursuant to the statute governing, to serve for the term ending at the pleasure of the Governor.

Respectfully,
TOMMY THOMPSON
Governor

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

State of Wisconsin
Office of the Governor

January 7, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROBERT D. HAASE of Madison, as Insurance Commissioner pursuant to the statute governing, to serve for the term ending at the pleasure of the Governor.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

State of Wisconsin
Office of the Governor

January 7, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JON E. LITSCHER of Lake Mills, as Secretary of the Department of Employment Relations pursuant to the statute governing, to serve for the term ending at the pleasure of the Governor.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Housing, Government Operations and Cultural Affairs.

State of Wisconsin
Office of the Governor

January 7, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint RICHARD W. OTTOW of Madison, as Commissioner of Credit Unions pursuant to the statute governing, to serve for the term ending at the pleasure of the Governor.

Respectfully,
TOMMY THOMPSON
Governor

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

State of Wisconsin
Office of the Governor

January 7, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint WESLEY L. RINGO of Madison, as Commissioner of Securities pursuant to

JOURNAL OF THE SENATE [January 15, 1991]

the statute governing, to serve for the term ending at the pleasure of the Governor.

Respectfully,
TOMMY THOMPSON
Governor

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

State of Wisconsin
Office of the Governor

January 7, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CAROL N. SKORNICKA of Madison, as Secretary of the Department of Industry, Labor and Human Relations pursuant to the statute governing, to serve for the term ending at the pleasure of the Governor.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

State of Wisconsin
Office of the Governor

January 7, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROBERT M. THOMPSON of Poynette, as Administrator of the Division of Emergency Government, Department of Military Affairs pursuant to the statute governing, to serve for the term ending at the pleasure of the Governor.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

State of Wisconsin
Office of the Governor

January 7, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GERALD WHITBURN of Middleton, as Secretary of the Department of Health and Social Services pursuant to the statute governing, to serve for the term ending at the pleasure of the Governor.

Respectfully,
TOMMY THOMPSON
Governor

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

State of Wisconsin
Office of the Governor

December 17, 1990

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROBERT J. LAVIGNA of Burke, Virginia, as Administrator of the Division of Merit Recruitment and Selection pursuant to the statute governing, to serve for the interim term ending March 26, 1994.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Housing, Government Operations and Cultural Affairs.

LINDA ADRIAN of Lancaster, as a member of the Rural Health Development Council pursuant to the statute governing, to serve for the term ending July 1, 1994

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

DORIS L. BAKKER of Neillsville, as a member of the Rural Health Development Council pursuant to the statute governing, to serve for the term ending July 1, 1993.

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

WILBUR C. BEACH of Prairie du Sac, as a member of the Rural Health Development Council pursuant to the statute governing, to serve for the term ending July 1, 1995.

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

GLORIA A. BEASER of Mindoro, as a member of the Respiratory Care Practitioners Examining Council pursuant to the statute governing, to serve for the term ending July 1, 1992.

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

ROGER D. BIDDICK of Livingston, as a member of the Wisconsin Judicial Commission pursuant to the statute governing, to serve for the term ending August 1, 1993.

Read and referred to committee on Judiciary and Consumer Affairs.

JAMES A. BOHREN of Sheboygan, as a member of the Hearing Aid Dealers and Fitters Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1993.

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

J. MICHAEL BORDEN of Delavan, as a member of the Lottery Board pursuant to the statute governing, to serve for the term ending May 1, 1993.

Read and referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

JOURNAL OF THE SENATE [January 15, 1991]

GARY J. CUSKEY of Spooner, as a member of the Real Estate Appraisers Board pursuant to the statute governing, to serve for the term ending May 1, 1991.

Read and referred to committee on Housing, Government Operations and Cultural Affairs.

JERRY L. FRESE of Tomahawk, as a member of the Nursing Home Administrator Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1994.

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

ANN GMEINER HEINRICH of Menasha, as a member of the Hearing and Speech Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1994.

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

RICHARD KLUG of Menomonee Falls, as a member of the Rural Health Development Council pursuant to the statute governing, to serve for the term ending July 1, 1995.

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

CHARLES KUEHN of Green Bay, as Chairman of the Wisconsin Parole Commission pursuant to the statute governing, to serve for the term ending March 1, 1991.

Read and referred to committee on Judiciary and Consumer Affairs.

DORIS LAUFENBERG of Madison, as a member of the Optometry Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1994.

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

GILBERT LEWIS D.V.M. of Menomonee Falls, as a member of the Veterinary Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1994.

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

DR. CHARLES LOBECK of Madison, as a member of the Rural Health Development Council pursuant to the statute governing, to serve for the term ending July 1, 1992.

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

KEN MACHTAN of Madison, as a member of the Wisconsin Housing and Economic Development Authority pursuant to the statute governing, to serve for the term ending January 1, 1994.

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

DR. JOHN MIDTLING of Milwaukee, as a member of the Rural Health Development Council pursuant to the statute governing, to serve for the term ending July 1, 1991.

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

PAUL A. MILLER of Woodruff, as a member of the Rural Health Development Council pursuant to the statute governing, to serve for the term ending July 1, 1991.

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

BILL PFAFF of New Lisbon, as a member of the Snowmobile Recreational Council pursuant to the statute governing, to serve for the term ending July 1, 1993.

Read and referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

ALAN ROBERTSON of Blair, as a member of the Public Defender Board pursuant to the statute governing, to serve for the term ending May 1, 1993.

Read referred to committee on Judiciary and Consumer Affairs.

JAMES SCHULTZ of Ladysmith, as a member of the Barbering and Cosmetology Examining Board pursuant to the statute governing, to serve for the interim term ending July 1, 1993.

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

TIMOTHY SIZE of Sauk City, as a member of the Rural Health Development Council pursuant to the statute governing, to serve for the term ending July 1, 1993.

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

ROBERT TRUNZO of Madison, as Secretary of the Department of Development pursuant to the statute governing, to serve for the term ending at the pleasure of the Governor.

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

DR. KENNETH M. VISTE JR. of Oshkosh, as a member of the Rural Health Development Council pursuant to the statute governing, to serve for the term ending July 1, 1994.

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

RAY WILLOUGBY of Eau Claire, as a member of the Rural Health Development Council pursuant to the statute governing, to serve for the term ending July 1, 1994.

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

RAY WILLOUGHBY of Eau Claire, as a member of the Banking Review Board pursuant to the statute governing, to serve for the term ending May 1, 1992.

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

SENATE CLEARINGHOUSE ORDERS

State of Wisconsin
Revisor of Statutes Bureau
January 1, 1991

To the Honorable the Legislature:

The following rules have been published and are effective:

Clearinghouse Rule 88-170 effective January 1, 1991.
Clearinghouse Rule 88-171 effective January 1, 1991.
Clearinghouse Rule 88-172 effective January 1, 1991.
Clearinghouse Rule 89- 22 effective January 1, 1991.
Clearinghouse Rule 89-176 effective January 1, 1991.
Clearinghouse Rule 89-196 effective January 1, 1991.
Clearinghouse Rule 90- 18 effective January 1, 1991.
Clearinghouse Rule 90- 19 effective January 1, 1991.
Clearinghouse Rule 90- 20 effective January 1, 1991.
Clearinghouse Rule 90- 25 effective January 1, 1991.
Clearinghouse Rule 90- 37 effective January 1, 1991.
Clearinghouse Rule 90-109 effective January 1, 1991.
Clearinghouse Rule 90-130 effective January 1, 1991.
Clearinghouse Rule 90-142 effective January 1, 1991.
Clearinghouse Rule 90-143 effective January 1, 1991.
Clearinghouse Rule 90-144 effective January 1, 1991.
Clearinghouse Rule 90-146 effective January 1, 1991.
Clearinghouse Rule 90-147 effective January 1, 1991.
Clearinghouse Rule 90-148 effective January 1, 1991.
Clearinghouse Rule 90-149 effective January 1, 1991.
Clearinghouse Rule 90-150 effective January 1, 1991.
Clearinghouse Rule 90-157 effective January 1, 1991.
Clearinghouse Rule 90-164 effective January 1, 1991.
Clearinghouse Rule 90-178 effective January 1, 1991.

Sincerely,
GARY L. POULSON
Deputy Revisor

Senate Clearinghouse Rule 89-129

Relating to the activities defining a motor vehicle dealer, wholesale dealer and motor vehicle auction dealer, the exceptions thereto, and the recordkeeping and dealership facilities required of such dealers.

Submitted by Department of Transportation.

Report received from agency, January 7, 1991.

Referred to committee on Transportation and Utilities, January 15, 1991.

Senate Clearinghouse Rule 89-142

Relating to establishing requirements for warranty plans and warranty contracts.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, January 7, 1991.

Referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs, January 15, 1991.

Senate Clearinghouse Rule 90-86

Relating to standards for policies, coverages, riders and certificates which are primarily designed to cover convalescent or custodial care or care for a chronic or terminal illness and for insurers and intermediaries who market those policies, coverages, riders or certificates.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, January 8, 1991.

Referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs, January 15, 1991.

Senate Clearinghouse Rule 90-108

Relating to the administration of the tax rate disparity payments.

Submitted by Department of Revenue.

Report received from agency, January 7, 1991.

Referred to committee on Aging, Banking, Communications and Taxation, January 15, 1991.

Senate Clearinghouse Rule 90-110

Relating to the establishment of management zones and trapping seasons for beaver.

Submitted by Department of Natural Resources.

Report received from agency, January 15, 1991.

Referred to committee on Urban Affairs, Environmental Resources and Elections, January 15, 1991.

Senate Clearinghouse Rule 90-140

Relating to the filing and review of continuing care contracts.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, January 7, 1991.

Referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs, January 15, 1991.

Senate Clearinghouse Rule 90-154

Relating to sales and use taxes.

Submitted by Department of Revenue.

Report received from agency, January 7, 1991.

Referred to committee on Aging, Banking, Communications and Taxation, January 15, 1991.

Senate Clearinghouse Rule 90-155

Relating to sales and use taxes.

Submitted by Department of Revenue.

Report received from agency, January 7, 1991.

Referred to committee on Aging, Banking, Communications and Taxation, January 15, 1991.

Senate Clearinghouse Rule 90-168

Relating to water quality standards for Newton Creek and Hog Island Inlet and removing a variance for ammonia in Hog Island Inlet.

Submitted by Department of Natural Resources.

Report received from agency, January 15, 1991.

Referred to committee on Urban Affairs, Environmental Resources and Elections, January 15, 1991.

Senate Clearinghouse Rule 90-176

Relating to administration of grants for dam maintenance, repair, modification, abandonment and removal.

Submitted by Department of Natural Resources.

Report received from agency, January 15, 1991.

Referred to committee on Urban Affairs, Environmental Resources and Elections, January 15, 1991.

Senate Clearinghouse Rule 90-180

Relating to electric safety.

Submitted by Public Service Commission.

Report received from agency, January 7, 1991.

Referred to committee on Transportation and Utilities, January 15, 1991.

Senate Clearinghouse Rule 90-183

Relating to the use of atrazine.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from agency, January 11, 1991.

Referred to committee on Agriculture, Corrections, Health and Human Services, January 15, 1991.

Senate Clearinghouse Rule 90-188

Relating to allowing the operation of 'double bottoms' and certain other combination vehicles greater than 60 feet in overall length on the specified highways.

Submitted by Department of Transportation.

Report received from agency, January 7, 1991.

Referred to committee on Transportation and Utilities, January 15, 1991.

Senate Clearinghouse Rule 90-192

Relating to the community development program.

Submitted by Department of Development.

Report received from agency, January 7, 1991.

Referred to committee on Education, Economic Development, Financial Institutions and Fiscal Policies, January 15, 1991.

Senate Clearinghouse Rule 90-199

Relating to the tribal and community relations program.

Submitted by Department of Development.

Report received from agency, January 7, 1991.

Referred to committee on Education, Economic Development, Financial Institutions and Fiscal Policies, January 15, 1991.

Senate Clearinghouse Rule 90-207

Relating to soil testing standards.

Submitted by Department of Natural Resources.

Report received from agency, January 15, 1991.

Referred to committee on Urban Affairs, Environmental Resources and Elections, January 15, 1991.

Senate Clearinghouse Rule 90-219

Relating to medically significant and sufficiently reliable HIV testing for use in underwriting individual

life, accident and health insurance policies, informed consent for HIV testing and the disclosure of test results.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, January 7, 1991.

Referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs, January 15, 1991.

Senate Clearinghouse Rule 90-238

Relating to allowing the operation of 'double bottoms' and certain other combination vehicles greater than 60 feet in overall length on designated highways.

Submitted by Department of Transportation.

Report received from agency, January 7, 1991.

Referred to committee on Transportation and Utilities, January 15, 1991.

Senate Clearinghouse Rule 90-239

Relating to refunds to health care providers who are not eligible to participate in the patients compensation fund.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, January 7, 1991.

Referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs, January 15, 1991.

Senate Clearinghouse Rule 88-92

Relating to regulating critical use facilities in a 500-year floodplain.

Submitted by Department of Natural Resources.

Continued from 1989 session pursuant to sec. 227.19(4)(b), Wis. Stats.,

Referred to committee on Urban Affairs, Environmental Resources and Elections, January 15, 1991.

Senate Clearinghouse Rule 89-148

Relating to both sale events conducted away from the licensed premises of a dealer and certain sales activities the department may permit after suspension, revocation or denial of a motor vehicle dealer license.

Submitted by Department of Transportation.

Continued from 1989 session pursuant to sec. 227.19(4)(b), Wis. Stats.,

Referred to committee on Transportation and Utilities, January 15, 1991.

Senate Clearinghouse Rule 90-68

Relating to nursing homes.

Submitted by Department of Health and Social Services.

Continued from 1989 session pursuant to sec. 227.19(4)(b), Wis. Stats.,

Referred to committee on Agriculture, Corrections, Health and Human Services, January 15, 1991.

Senate Clearinghouse Rule 90-80

Relating to flammable and combustible liquids and the protection of groundwater.

Submitted by Department of Industry, Labor and Human Relations.

JOURNAL OF THE SENATE [January 15, 1991]

Continued from 1989 session pursuant to sec. 227.19(4)(b), Wis. Stats.,
Referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs, January 15, 1991.

Senate Clearinghouse Rule 90-118

Relating to business closings and mass layoffs.
Submitted by Department of Industry, Labor and Human Relations.

Continued from 1989 session pursuant to sec. 227.19(4)(b), Wis. Stats.,

Referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs, January 15, 1991.

Senate Clearinghouse Rule 90-123

Relating to sales to and by elementary and secondary schools and related organizations.

Submitted by Department of Revenue.

Continued from 1989 session pursuant to sec. 227.19(4)(b), Wis. Stats.,

Referred to committee on Aging, Banking, Communications and Taxation, January 15, 1991.

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

Senate Clearinghouse Rule 90-80

Relating to flammable and combustible liquids and the protection of groundwater.

No action taken.

Jerome Van Sistine
Chair

MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has organized and is ready to proceed to the business of the 1991-1992 Assembly Session.

Adopted and asks concurrence in:

Assembly Joint Resolution 1

Concurred in:

Senate Joint Resolution 1

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Joint Resolution 1

Relating to Cletus Vanderperren's service in the assembly.

By Representative Kunicki.

Read and referred to committee on Senate Organization.

Senator George, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Tuesday, January 29 pursuant to **Senate Joint Resolution 1**.

2:01 P.M.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Joint Resolution 1.

Correctly enrolled and deposited in the Office of the Secretary of State January 15, 1991.