

Ninetieth Regular Session

WEDNESDAY, September 18, 1991

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 54

Relating to distinguishing the state lottery from prohibited gambling, defining 'lottery', and removing from the gambling section of the constitution the prohibition of individual divorce grants by the legislature (first consideration).

By Senators Petak, Huelsman, Lorman, Farrow and Lecaan; cosponsored by Representatives Schneiders, Underheim, Duff, Silbaugh, Lorge, Rosenzweig, Ladwig, Harsdorf, Darling, Loucks, Urban, Klusman and Goetsch.

To committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 265

Relating to mining on lands owned by this state and under the jurisdiction of the department of natural resources.

By Senators Jauch, Czarnecki, Berndt, Decker, Feingold and Burke; cosponsored by Representatives Stower, Black, Roberts, Young, Huber, Baldus, Notestein, Barca, Hisrich, Robson, Hamilton, Reynolds, Holperin, Boyle and Lorge.

To committee on Urban Affairs, Environmental Resources and Elections.

Senate Bill 266

Relating to increasing the number of circuit court branches in Dane county and Kenosha county.

By Senators Andrea and Chvala; cosponsored by Representatives Barca, Antaramian, Porter, Rohan, Travis and Young.

To committee on Judiciary and Consumer Affairs.

Senate Bill 267

Relating to eligibility for burial in the cemetery at the veterans home at King.

By Senator Van Sistine.

To committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

Senate Bill 268

Relating to a state minimum wage and granting rule-making authority.

By Senators Van Sistine, Plewa, Potter and Decker; cosponsored by Representative Vander Loop.

To committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

COMMITTEE REPORTS

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

Senate Bill 269

Relating to the practice of nursing under the direction of a nonresident physician, podiatrist or dentist under certain circumstances.

By request of Wisconsin Homecare Association.

Introduction:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;

Noes, 0 -- None.

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

SMITH, JOYCE H., of Racine, as a member of the Medical College of Wisconsin Board of Trustees, to serve for the interim term ending May 1, 1997.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;

Noes, 0 -- None.

ROBINSON, BOB, of Milwaukee, as a member of the Optometry Examining Board, to serve for the interim term ending July 1, 1992.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;

Noes, 0 -- None.

ARZOOMANIAN, RHODA ZARIE, of Verona, as a member of the Nursing Home Administrators Examining Board, to serve for the term ending July 1, 1995.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;

Noes, 0 -- None.

TROTTER, DANNY E., of Edgerton, as a member of the Barbering and Cosmetology Examining Board, to serve for the term ending July 1, 1995.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;

Noes, 0 -- None.

OGUREK, JAMES CLEMENCE, of Wausau, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 1995.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;

Noes, 0 -- None.

DOBRINSKI, NANCY J., of Minocqua, as a member of the Hearing and Speech Examining Board, to serve for the term ending July 1, 1995.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;
Noes, 0 -- None.

QUADRACCI, HARRY V., of Hartland, as a member of the Medical College of Wisconsin Board of Trustees, to serve for the term ending May 1, 1997.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;
Noes, 0 -- None.

ZIEMER, PAUL D., of Green Bay, as a member of the Medical College of Wisconsin Board of Trustees, to serve for the term ending May 1, 1997.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;
Noes, 0 -- None.

SCHWARTZ, DR. W. R., of Wauwatosa, as a member of the Medical Examining Board, to serve for the interim term ending July 1, 1994.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;
Noes, 0 -- None.

BROWN, PAUL L., of Madison, as a member of the Wisconsin Health and Educational Facilities Authority, to serve for the term ending June 30, 1998.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;
Noes, 0 -- None.

OLSEN, DR. CLARK, of Washburn, as a member of the Medical Examining Board, to serve for the term ending July 1, 1995.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;
Noes, 0 -- None.

SEAMAN, DR. STEPHEN F., of Fort Atkinson, as a member of the Psychology Examining Board, to serve for the term ending July 1, 1995.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;
Noes, 0 -- None.

ARNDT, DR. GEORGE W., of Neenah, as a member of the Medical Examining Board, to serve for the term ending July 1, 1995.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;
Noes, 0 -- None.

MIDLING, DR. JOHN, of Milwaukee, as a member of the Rural Health Development Council, to serve for the term ending July 1, 1996.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;
Noes, 0 -- None.

MILLER, PAUL A., of Woodruff, as a member of the Rural Health Development Council, to serve for the term ending July 1, 1996.

Confirmation:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;
Noes, 0 -- None.

Senate Bill 156

An act relating to supplementing funding for a 24-hour telephone service operated at a domestic abuse shelter and making an appropriation.

Passage:

Ayes, 5 -- Senators Moen, Decker, Feingold, Jauch, and Breske;

Noes, 2 -- Senators Berndt and Lorman.

Rodney C. Moen
Chair

The joint committee on Employment Relations reports and recommends:

Senate Bill 270

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin Education Association Council, for the 1991-93 biennium, covering employes in the professional education collective bargaining unit, and authorizing an expenditure of funds.

Introduction:

Ayes, 5 -- Senators Risser, Helbach and George;
Representatives Kunicki and Prosser;

Noes, 0 -- None.

Read first time and referred to committee on Senate Rules.

Senate Bill 271

An act to ratify the agreement negotiated between the state of Wisconsin and the State Engineering Association for the 1991-93 biennium, covering employes in the professional engineering collective bargaining unit, and authorizing an expenditure of funds.

Introduction:

Ayes, 5 -- Senators Risser, Helbach and George;
Representatives Kunicki and Prosser;

Noes, 0 -- None.

Read first time and referred to committee on Senate Rules.

Fred A. Risser
Co-chair

Walter Kunicki
Co-chair

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The committee on Tourism, Commerce, Labor, Veterans' and Military Affairs reports and recommends:

KREUL, RICHARD, of Fennimore, as a member of the Labor and Industry Review Commission, to serve for the term ending March 1, 1997.

Confirmation:

Ayes, 7 -- Senators Van Sistine, Breske, Roshell, Plewa, Potter, Decker and Rude;

Noes, 0 -- None.

Jerome Van Sistine
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 1

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

Introduction and adoption of Senate substitute amendment 1:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Buettner;

Noes, 1 -- Senator Stitt.

Passage as amended:

Ayes, 3 -- Senators Adelman, Feingold and Chvala;
Noes, 2 -- Senators Buettner and Stitt.

Senate Bill 2

Relating to tattooing of children and providing a penalty.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Stitt and Buettner;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Stitt and Buettner;

Noes, 0 -- None.

Assembly Bill 124

Relating to cash deposits for defendants charged with crimes.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Stitt and Buettner;

Noes, 0 -- None.

Assembly Bill 194

Relating to failure to pay for food, lodging, accommodation or service.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Stitt and Buettner;

Noes, 0 -- None.

Lynn S. Adelman
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
University of Wisconsin System

September 9, 1991

To the Honorable the Legislature:

Enclosed is the second of two reports on 1991 Faculty Fringe Benefits required by s. 3055(1)(h)6, 1989 Wisconsin Act 31, which was accepted by the Board of Regents on September 6, 1991.

Sincerely,
Katharine C. Lyall
Acting President

State of Wisconsin
Department of Development

September 11, 1991

To the Honorable the Legislature:

Please use the accompanying sheet to make the following corrections to the Biennial Report on Tax Incremental Financing which you may have received last week. I apologize for any inconvenience this may have caused.

Sincerely,
Brian Pahnke

State of Wisconsin
Department of Agriculture, Trade and Consumer Protection

September 17, 1991

To the Honorable the Legislature:

Pursuant to s. 710.02(4)(b) of the Wisconsin Statutes, the Department of Agriculture, Trade and Consumer Protection is submitting the following reports, summarizing alien agricultural land ownership in Wisconsin through calendar years 1989 and 1990.

Sincerely,
Alan T. Tracy
Secretary

MARINE CORPS LEAGUE
Department of Wisconsin Staff

August 31, 1991

To the Honorable the Legislature:

In reference to Sec. 2 of 45.35 93d) of Wis. Stats., herein is the 1991 report on membership and activities. We presently have 1690 members, up from 1595 in 1990. We now have 22 active Detachments in the State of Wisconsin. We have been active since 1923 and were nationally chartered for about 50 years. We only accept honorably discharged Marines who have served over 90 days in the U.S.M.C.

We have a State Service Officer who handles claims at the V.A. Regional Office with assistance of the WDVA. We have volunteer VAVS members at Wisconsin's three VA hospitals and also do volunteer work at the King State Veterans Home. Services performed at the hospitals include Bingo, card parties, weenie roasts, bowling outings and other recreational activities. We have several members and auxiliary volunteers with one year of volunteer work (that's 2000 hrs of free service).

We have an annual scholarship award of up to \$600.00 each to five or six children of former Marines or recently discharged Marines, for Wisconsin families and over 75 similar scholarships on a National level. We provide colorguards at funerals, parades and other patriotic events. Six of our Detachments have engaged in a rifle team firing match program to keep up marksmanship. We participate in local veterans councils, the Milwaukee War Memorial Board, and will be sponsoring a National Convention in the Milwaukee area in 1994 or 95. We last sponsored such a convention in 1978 bringing 1500 visitors to the area.

Individual Detachments take pride in their marching ability and are active in statewide competition during the warmer nine months of the year. Our members are active on speaking programs at Wisconsin Schools to explain some recent history which we have lived through. Members may explain how it was on Iwo Jima, Chosen reservoir, or in Kuwait.

This is only a partial list of activities but we understand one page is about average for each report.

Sincerely,

Russell Collins

State Commandant

Paul A. Bialk

Service and Legislative Officer

State of Wisconsin
Claims Board

September 11, 1991

To the Honorable the Senate

Enclosed is the report of the State Claims Board covering claims heard on August 22, 1991.

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 August 22, 1991, upon the following claims:

Claimant	Amount
George Lundey	1,250.00
George Lundey	1,722.00
George Lundey	921.00
John Reed	20,000.00
David Norman	415.00
Town of Sarotoga	20,022.75
Steven Holschuh	5,000.00
Chippewa County	27,296.24

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

Roy Campbell	580.00
R. W. Fish	55.00
Roger Kaminski	5,612.19
Milaeger Well and Pump Co.	4,000.00
Nancy Harris	85.00
William McGlin	5,186.88
Elaine Canales-Willson	152.06
Jianjun Chen	407.82
John Ryder	500.00
Lisa Kaufman	68.20
James Graham	79.70
Larry Waggoner	228.08
Gladys Rector	1,053.26
For-Most Sales, Inc.	7,446.42
Arthur Strong	1,798.39
John Best Estate	10,462.74
Wayne Chrusciel	109.00
Margaret Smith	260.00
Danette Sebastian	364.61
Richard Cooper	50.00
State Farm Insurance Co.	182.08
Ginny Ellis	45.94
Lori Molitor	38.97
Beverly Dzienkowski	386.40
Milwaukee Insurance	718.20
Kathleen Morrell	100.00
Linda Eberle	17.84
Wellington Davis	846.30
School Grove Dairy Cooperative	32,006.17
Ed and Julie Henke	4,382.34
John and Ellen Bongert	4,343.51
Ronald Bastian	4,267.33
William Skatrud	10,137.48
David Jaehnig	5,594.82
Donald Breckheimer	2,620.44
Gary Koplitz	8,210.30
Tri-State Milk Coop.	86,887.41
LeRoy Krepline	6,882.56
David Kallas	6,612.47
Wayne and Sandra Erdmann	4,397.68
Mike Bennin	3,888.10
Paul Daun	13,377.60

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Carl Boesch	2,215.21
Gerald Dorsey	4,061.04
James Hagenow	3,800.00
Lyle Springer	986.37
Michael Resch	678.27
Norman Resch	9,857.99
Dave, Ed and Bill Hoyer	9,896.39
Bernard Resch	1,384.07
Frank Antosch	2,259.37
Julie Bubolz	3,264.05
Harold Sheehy	7,269.91
Raymond Joas	5,727.83
Associated Milk Producers	79,685.16
Ted Otto	5,140.83
Tony Resch	678.27
Margaret Fenlon	3,700.00
Gerald Verhagen	4,070.70
James and Darla Barker	2,672.22
Kyle Holtz	1,919.43
Philip Buhrow	3,694.00
Robert Ruedinger	863.05
Michael and Diane Rusch	2,673.08
Larry and Joan Oudenhoven	12,993.51
David Zentner	4,064.32
National Farmers Organization	186,399.93
James Hooyman	2,360.59
Nick Muellenbach	4,087.26

THE BOARD FINDS:

1. George Lunday of Evansville, Wisconsin, claims \$1,250.00 for uninsured damages to his automobile allegedly resulting from a collision with a wild deer on October 27, 1990. Even though legal title to all wild animals in Wisconsin is vested in the state pursuant to s. 29.02, Stats., ownership does not create legal liability for damages resulting from automobile accidents involving wild deer. 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. George Lunday of Evansville, Wisconsin claims \$1,722.00 for health insurance premiums from March through October, 1990. In October 1986, claimant began employment with the Department of Health and Social Services and enrolled in a state health insurance plan when he qualified in May, 1987. Prior to this employment, claimant was a Wisconsin Retirement System (WRS) participant, receiving monthly annuity payments. In January 1990, Chapter 40, Wis. Stats., was amended and rehired annuitants were no longer covered under the WRS until exceeding a specified earnings limit. Claimant did not exceed his earnings limit and as a result, the state contribution for his health insurance premiums was terminated effective January 1, 1990. Claimant did not receive a June 16, 1989 memorandum informing him of the effect of the amendment to Chapter 40, Wis., Stats., until April, 1990. The Board concludes the claim should be paid in the reduced amount of \$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 Health and Social Services appropriation s. 20.435(1)(a) or 20.435(8)(a), Stats.

3. George Lunday of Evansville, Wisconsin, claims \$921.70 for payment of 109.31 hours of unused sick leave. When claimant retired from state service on October 31, 1990, he intended to convert his sick leave credits to pay his health insurance premiums. When claimant retired, he was informed by the Department of Employee Trust Funds that he was not eligible to convert his leave because he was no longer a WRS participant due to amendments to Chapter 40, Wis. Stats., effective January, 1990. 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.

4. John Reed of Milwaukee, Wisconsin, claims \$20,000.00 for attorney fees, wages, tuition and punitive damages allegedly resulting from the wrongful termination of his work study privileges and for alleged wrongful imprisonment beyond his mandatory release date. On January 21, 1975, claimant was convicted of armed robbery and theft and was sentenced to serve three concurrent sentences for an aggregate sentence of five years. He was released on parole in 1978. In 1980, claimant's parole was revoked for a violation of the terms of his supervision and he was returned to prison to serve the remainder of his sentence. When claimant entered Waupun Correctional Institution, he was informed that although the mandatory release date on his new sentence would be April 22, 1981, he would be required to remain in the institution and serve forfeited good time until August 17, 1981. Claimant filed a petition for habeas corpus alleging violation of his state and federal constitutional rights to due process because of the state's failure to determine whether he was entitled to earn statutory and industrial good time credit under ss. 53.11(7)(b) and 53.12, Stats. The Court ordered the Department of Health and Social Services to hold a hearing to determine claimant's entitlement to state and industrial good time. On July 29, 1981, a Department of Health and Social Services hearing examiner determined that claimant was entitled to the good time credit and that he should have been released on parole on April 7, 1981. The Board 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 Department of Corrections appropriation s. 20.410(1)(a), Stats.

5. David Norman of Oneida, Wisconsin, claims \$415.00 for attorney fees incurred during the investigation of a complaint filed against him by an inmate at the Sanger B. Powers Correctional Center. Claimant is the Assistant Superintendent at the Center.

An inmate at the Center alleged claimant told a racial joke sometime during August 4-10, 1990. Claimant's supervisor scheduled an investigatory hearing on September 18, 1990, to determine if claimant had violated any work rules or the Department of Corrections' policy on harassment. Claimant was advised of his right to representation by any non-represented employee, a personal attorney or other non-employee representative. Claimant hired an attorney to represent him at the investigatory hearing. On October 30, 1990, claimant was advised that no disciplinary action would be taken against him as result of the investigation. 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. Town of Saratoga claims \$20,022.75 as the amount withheld by the Department of Transportation from the Town's July quarterly aids payments. On January 18, 1988, Claimant entered into an agreement with the Department of Transportation to pay \$42,384.00 towards the construction of a highway improvement project. At the time of the agreement, project estimates were \$7.5 million. The project was completed for less than the amount bid and claimant contends that it should receive a proportionate reduction of its share for the construction costs. The Town has paid only \$21,192.00 to the Department of Transportation. The Department of Transportation withheld claimant's July, 1990 quarterly aids payment in the amount of \$20,022.75 for the Town's unpaid share of the project costs. 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. Steven Holschuh of Green Bay, Wisconsin, claims \$5,000.00 for the removal of petroleum storage tanks from his property. Pursuant to s. 101.143, Wis. Stats., referred to as the Petroleum Environmental Cleanup Fund Act (PECFA), the costs of tank removal and cleanup may be paid from a state fund except for a \$5,000 deductible which must be paid by the owner. Claimant had five tanks removed from his property at a cost of \$17,282.68. On January 9, 1990, claimant applied to the Department of Industry, Labor and Human Relations (DILHR) for the PECFA grant. On March 30, 1990, claimant was notified by the DILHR that he would have to pay two \$5,000 deductibles due to the location of the tanks. Claimant received \$7,282.68 from the PECFA. Claimant contends that s. 101.143(4)(d) 3, Wis. Stats., (1989) indicates a \$5,000 deductible will be applied per location rather than per occurrence and only one deductible should apply to his property. 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 Claims Board appropriation s. 20.505(4)(d), Stats. (Member Hoslet not participating).

8. Chippewa County claims \$27,296.24 for refund of sales tax paid on the sale of the Chippewa County Health Care facilities to Heyde Health System, Inc., in 1986. Claimant contends the sale of the health care center qualifies as an occasional sale and is, therefore, exempt from sales tax. Pursuant to s. 77.51(9)(a), (1985), Wis. Stats., the Department of Revenue determined claimant was not entitled to an exemption for occasional sale of property because they held a seller's permit on the date of the sale. 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.

9. Roy Campbell of Eau Claire, Wisconsin, claims \$580.00 for uninsured damages to his cabin allegedly caused by an inmate from the Gordon Correctional Center on June 10, 1990. The inmate, who was on a work detail near claimant's cabin, allegedly broke into the cabin damaging the front and back doors. The Board concludes the claim should be paid in the reduced amount of \$480.00, 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.

10. R. W. Fish of Rice Lake, Wisconsin, claims \$55.00 as the amount he paid to Eugene Miller for the loss of 400# of milk on December 5, 1990. Claimant was performing his duties as a veterinarian for the Department of Agriculture, Trade and Consumer Protection when he inadvertently opened a valve on a bulk milk tank owned by Mr. Miller. The Board concludes the claim should be paid. 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 appropriation s. 20.115(2)(a), Stats.

11. Roger Kaminski of Green Bay, Wisconsin, claims \$5,612.19 for replacement of the plumbing in his home which was installed in 1972 according to the Department of Industry, Labor and Human Relations code. Claimant contends the code requirements were insufficient at that time, necessitating the replacement of his plumbing system in 1990. 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.

12. Milaeger Well and Pump Company, Inc. of Brookfield, Wisconsin, claims \$4,000.00 for costs incurred to retest the Village of Sharon water supply well

allegedly due to an error by the state in May, 1990. At the time of the test pumping of the well, claimant contacted the Department of Natural Resources to obtain sample bottles. The Department of Natural Resources sent claimant a sampling kit with the wrong number of bottles. When the State Laboratory of Hygiene received the sample bottles, the laboratory slips were not properly identified with the bottles and there was no way to determine where the bottles were from, or what the contents should be analyzed for. 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.

13. Nancy Harris of Whitefish Bay, Wisconsin, claims \$85.00 for replacement of her projector screen allegedly damaged during a presentation she was giving on May 13, 1991, as part of her duties as an employe of the Department of Natural Resources. Claimant was using her personal equipment because Department owned equipment was not available. 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(2)(hq), Stats.

14. William McGlin of Clintonville, Wisconsin, claims \$5,186.88 for overtime wages relating to his employment with A-1 Air Conditioning and Heating Service, Inc., from February 1986 to December, 1987. In July 1989, claimant filed an assignment of his overtime and penalty wages with the Department of Industry, Labor and Human Relations' (DILHR) Equal Rights Division. The employer refused to offer any settlement amount and DILHR requested the Department of Justice to commence legal action to collect the wages. The Department of Justice filed a summons and complaint against the employer on June 11, 1990, and subsequently discovered that the statute of limitations expired in February, 1990. As a result, the matter was dismissed in September, 1990. Claimant did not keep a record of his overtime hours and bases his claim on an estimate of hours. The Board 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. (Member Wilker not participating).

15. Elaine Canales-Willson of Milwaukee, Wisconsin, claims \$152.06 for damages to her automobile window and replacement of a Sony walkman allegedly stolen from her vehicle. Claimant's vehicle was allegedly damaged by an unknown person on September 25, 1990, while the vehicle was parked in the lot at the Milwaukee State Crime Laboratory where she is employed. 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.

16. Jianjun Chen of Madison, Wisconsin, claims \$407.00 for damages to his automobile allegedly caused by the parking gate at the Helen C. White Library at the University of Wisconsin-Madison on October 23, 1990. As claimant drove into the parking area, the parking gate suddenly fell on top of his vehicle. The Board concludes the claim should be paid in the reduced amount of \$50.00, the amount of claimant's insurance deductible, 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. 20.385(1)(h), Stats.

17. John Ryder of Oregon, Wisconsin, claims \$823.14 for damages to his automobile allegedly caused by the parking gate at the Helen C. White Library at the University of Wisconsin-Madison on June 15, 1990. As claimant drove out the parking area, the parking gate came down on the roof of his car, damaging the roof and rear window. The Board concludes the claim should be paid in the reduced amount of \$500.00, the amount of claimant's insurance deductible, 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.

18. Lisa Kaufman of Madison, Wisconsin, claims \$68.20 for replacement of her briefcase allegedly damaged in the trunk of a state patrol vehicle on November 1, 1990. Claimant is a state capitol police officer and had placed her briefcase in the trunk of the squad car when she arrested an individual. 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 Administration appropriation s. 20.505(5)(ka), Stats.

19. James Graham of Milwaukee, Wisconsin, claims \$79.70 for damages to his wheelchair allegedly incurred while he was leaving the Milwaukee State Office Building on November 28, 1990. On that date, the handicapped accessible doors were not functioning and claimant had to exit through the pedestrian doors. The left rear wheel and right front bumper guard on claimant's wheelchair were damaged when they became caught on the door frame. 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 Administration appropriation s. 20.505(5)(ka), Stats.

20. Larry Waggoner of Minneapolis, Minnesota, claims \$228.08 for damages to his vehicle allegedly incurred while he was driving on state highway 45 on July 24, 1990. Claimant's vehicle was sprayed with a solution of liquid calcium chloride which was being applied to the road surface according to the

specifications set by the Department of Transportation. 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 Transportation appropriation s. 20.395(3)(eq), Stats.

21. Cladys Rector of Tomah, Wisconsin, claims \$1,053.26 for the replacement cost of her driveway culvert allegedly damaged by improper maintenance of the ditches around the culvert. Claimant contends that the Department of Transportation failed to clean and maintain the ditches around the culvert which caused water to stand in her culvert, resulting in its rusting out. 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.

22. For-Most Sales, Inc. of Holmen, Wisconsin, claims \$7,446.42 for loss of sales from April through September, 1990, allegedly due to the road construction on Highway 53. Claimant's business is located along the north side of highway 53 and its display lot fronts the highway. Highway 53 was being converted from two to four lanes. The first stage of the construction required the diversion of traffic to the southbound lane and a temporary lane while northbound lanes were being constructed. The construction on the north lanes created a gap between traffic and claimant's business that could not be avoided. The new northbound lanes were completed and opened on October 15, 1990. 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. Arthur Strong of Milwaukee, Wisconsin, claims \$1,798.39 for refund of income tax collected by the Department of Revenue from May, 1989 through July 1990, by garnisheeing his wages. Claimant failed to file tax returns for 1986, 1987 and 1988. The Department of Revenue issued estimated assessments to claimant. When no response was received from claimant, the Department of Revenue contacted claimant's employer on March 31, 1989, to withhold wages until the delinquency was satisfied. On August 28, 1990, claimant filed tax returns for the years 1986, 1987 and 1988 and based on that information it was determined claimant had no outstanding tax liabilities. Because of the two-year statute of limitations, s. 71.75(5), Stats., the Department of Revenue is without authority to return any of the amount collected on the estimated assessment. 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.

24. Gail Kruse, Personal Representative of the Estate of John Best claims \$10,462.74 for interest and attorney fees allegedly resulting from a wrongful tax assessment issued by the Department of Revenue on June 12, 1989. The Estate paid the tax and interest at 12% in lieu of additional penalties and interest. On August 3, 1989, claimant filed a motion in Oconto Circuit Court pursuant to s. 72.30(4), for a hearing to review the Department of Revenue's determination. Subsequently, the Department of Revenue issued a new determination of the inheritance tax and refunded \$28,360.32 to the Estate. The Estate seeks compensation for attorney fees incurred to defend the Estate in the wrongful tax determination, plus interest on the amount wrongfully withheld by the state. 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.

25. Wayne Chrusciel of Whitefish Bay, Wisconsin, claims \$109.00 for bank fees incurred when the Department of Revenue garnisheed his wages in January and February 1991, for payment of an alleged delinquent tax balance. On February 1, 1991, claimant informed the Department of Revenue that he had paid the delinquent tax on November 14, 1990. The Department of Revenue put a trace on claimant's payment and determined that it had been incorrectly credited to a different account. The garnishment was cancelled by the Department of Revenue but claimant incurred the bank service fees for checks returned for insufficient funds. 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 Revenue appropriation s. 20.566(1)(hq), Stats.

26. Margaret A. Smith of Goodman, Wisconsin, claims \$260.00 for accounting fees allegedly incurred during a Department of Revenue audit of her 1986 and 1987 tax returns. On October 2, 1990, the Department of Revenue requested substantiation of certain items deducted on claimant's 1986 and 1987 returns. Claimant hired an accountant to prepare a response to the audit letter. On January 7, 1991, the Department of Revenue sent claimant a notice of amount due. Claimant's accountant appealed a portion of the assessment. The Appellate Bureau granted claimant's petition for redetermination for those adjustments appealed. The Board concludes the claim should be paid in the reduced amount of \$135.00, the portion of the accounting fees relating to the appeal of the assessment, 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.

27. Danett Sebastian of Madison, Wisconsin, claims \$364.61 for the difference between wages earned and the amount she would have earned if her position had been

reclassified by the Department of Revenue on January 15, 1991, instead of February 10, 1991. Claimant contends her raise was not retroactive to the proper date. Claimant received a copy of the reclassification on or about March 8, 1991. Claimant had 30 days after the effective date of the action or 30 days after she was notified of the action to file an appeal with the State Personnel Commission. Claimant failed to file an appeal with the State Personnel Commission. 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.

28. Richard Cooper of Waukesha, Wisconsin, claims \$50.00 for the uninsured amount to repair his vehicle's rear wiper blade allegedly damaged on May 11, 1990, while the vehicle was parked at the Southern Wisconsin Center where he is employed. A resident of the Center was observed pulling the wipers on claimant's car while it was parked in an area adjacent to the rear entrance of Cottage 3. Claimant continued to park his vehicle in this area even though he had been advised to move his car. 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.

29. State Farm Insurance Company of Racine, Wisconsin, claims \$182.08 for subrogation damages. Claimant's insured, Richard Cooper, submitted a claim to the insurance company for damages allegedly incurred to his vehicle while it was parked at the Southern Wisconsin Center on May 11, 1990. The insurance company reimbursed its insured \$182.08 for the damages. Consistent with the long-standing policy of this Board concerning subrogation claims, the Board concludes 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.

30. Ginny Ellis of Chippewa Falls, Wisconsin, claims \$45.94 for damages to her vehicle allegedly incurred on August 9, 1990, while the vehicle was parked at Northern Wisconsin Center. A staff member of the Center observed a resident pulling on the tailpipe of claimant's vehicle, causing it to break. The Board concludes the claim should be paid in the reduced amount of \$11.69, for the uninsured damages, based on equitable principles. The Board further concludes under authority of s. 16.007(6m), Stats., payment should be made from the Department of Health and Social Services appropriation s. 20.435(2)(gk), Stats.

31. Lori Molitor of Union Grove, Wisconsin, claims \$38.97 for replacement of her jacket allegedly stolen from her work area at the Southern Wisconsin Center in August 1990. 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.

32. Beverly Dzienkowski of Cadott, Wisconsin, claims \$386.40 for damages to her vehicle allegedly incurred on September 19, 1990, while the vehicle was parked at the Northern Wisconsin Center where she is employed. A resident of the Center was observed pounding his fists on the hood of claimant's vehicle. It appears that claimant has insurance coverage for this type of damage. 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.

33. Milwaukee Insurance of Eau Claire, Wisconsin, claims \$718.20 for subrogation damages. Claimant's insured, Mike Anglum, filed a claim with the insurance company for damages incurred to his vehicle on October 21, 1990, while parked at the Northern Wisconsin Center, where he is employed. The damage was allegedly caused by a resident of the Center. The insurance company reimbursed its insured \$718.20 for the damages. Consistent with the long-standing policy of this Board concerning subrogation claims, the Board concludes 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.

34. Kathleen Morrell of Waukesha, Wisconsin, claims \$100.00 for the uninsured amount to replace her wedding band, allegedly stolen on January 8, 1991. Claimant is a Quality Control Reviewer for the Division of Economic Support in the Department of Health and Social Services and is required to interview clients receiving public assistance. Claimant was robbed at gunpoint after leaving a client's home in Milwaukee. 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 Health and Social Services appropriation s. 20.435(4)(a), Stats.

35. Linda Eberle of Racine, Wisconsin, claims \$17.84 for uninsured damages to her vehicle incurred on April 3, 1991, while it was parked at the Southern Wisconsin Center where she is employed. Another employe saw a resident of the Center break the antenna off claimant's vehicle. 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 Health and Social Services appropriation s. 20.435(2)(gk), Stats.

36. Wellington Davis of Chippewa Falls, Wisconsin, claims \$846.30 for damages incurred to his vehicle on April 22, 1991, while parked at the Northern Wisconsin Center where he is employed. A resident of the Center was observed damaging vehicles in the parking lot. It appears that claimant has insurance coverage for this

type of damage. 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.

THE BOARD CONCLUDES:

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

- George Lundey
- George Lundey
- David Norman
- Town of Saratoga
- Chippewa County
- Roger Kaminski
- Elaine Canales-Willson
- Gladys Rector
- For-Most Sales, Inc.
- Arthur Strong
- John Best Estate
- Danette Sebastian
- Richard Cooper
- State Farm Insurance Company
- Lori Molitor
- Beverly Dzienkowski
- Milwaukee Insurance
- Wellington Davis

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

George Lundey	\$500.00
John Reed	\$1,000.00
Steven Holschuh	\$2,000.00
Roy Campbell	\$480.00
R. W. Fish	\$55.00
Milaege Well and Pump Co.	\$2,000.00
Nancy Harris	\$85.00
William McGlin	\$1,000.00
Jianjun Chen	\$50.00
John Ryder	\$500.00
Lisa Kaufman	\$68.20
James Graham	\$79.70
Larry Waggoner	\$228.08
Wayne Chrusciel	\$109.00
Margaret Smith	\$135.00
Ginny Ellis	\$11.69
Kathleen Morrell	\$100.00
Linda Eberle	\$17.84

THE BOARD RECOMMENDS:

Payment of \$243,591.34 to 35 claimants who filed claims by January 31, 1991, in response to the Board's December 19, 1990 decision of the claims fo Farmers Union Milk Cooperative, Manitowoc Milk Producers Cooperative and Milwaukee Cooperative Milk Producers. The claims are for loss of income by dairy farmers 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 went bankrupt. The Board recommends payment of onehalf of the claimed amounts determined to be accurate as a result of an audit by the Department of Agriculture, Trade and Consumer Protection, based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats., pay should be made from the Claims Board appropriation s. 20.505(4)(d), Stats.

Claimant	Amount Claimed
School Grove Dairy Coop.	\$32,006.17
Ed and Julie Henke	\$4,382.34
John and Ellen Bongert	\$4,343.51
Ronald Bastian	\$4,267.33
William Skatrud	\$10,137.48
David Jaehnig	\$5,594.82
Donald Breckheimer	\$2,620.44
Gary Koplitz	\$8,210.30
Tri-State Milk Coop.	\$86,887.41
LeRoy Krepline	\$6,882.56
David Kallas	\$6,612.47
Wayne and Sandra Erdmann	\$4,397.68
Mike Bennin	\$3,888.10
Paul Daun	\$13,377.60
Carl Boesch	\$2,215.21
Gerald Dorsey	\$4,061.04
James Hagenow	\$3,800.00
Lyle Springer	\$986.37
Michael Resch	\$678.27
Norman Resch	\$9,857.99
Dave, Ed and Bill Hoyer	\$9,896.39
Bernard Resch	\$1,384.07
Frank Antosch	\$2,259.37
Julie Bubolz	\$3,264.05
Harold Sheehy	\$7,269.91
Raymond Joas	\$5,727.83
Associated Milk Producers	\$79,685.16
Ted Otto	\$5,140.83
Tony Resch	\$678.27
Margaret Fenlon	\$3,700.00
Gerald Verhagen	\$4,070.70
James and Darla Barker	\$2,672.22
Kyle Holtz	\$1,919.43
Philip Buhrow	\$3,694.00
Robert Ruedinger	\$863.05
Michael and Diane Rusch	\$2,673.08
Larry and Joan Oudenhoven	\$12,993.51
David Zentner	\$4,064.32
National Farmers Organization	\$186,399.93
James Hooyman	\$2,360.59
Nick Muellenbach	\$4,087.26
Claimant	DATCP
	Audit
	Amount
School Grove Dairy Coop.	\$0.00
Ed and Julie Henke	\$4,340.45

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John and Ellen Bongert	\$4,343.51
Ronald Bastian	\$4,323.00
William Skatrud	\$10,137.48
David Jaehnig	\$5,657.14
Donald Breckheimer	\$2,656.10
Gary Koplitz	\$7,693.43
Tri-State Milk Coop.	\$86,887.41
LeRoy Krepline	\$7,128.33
David Kallas	\$6,512.13
Wayne and Sandra Erdmann	\$4,457.22
Mike Bennin	\$0.00
Paul Daun	\$0.00
Carl Boesch	\$2,245.03
Gerald Dorsey	\$4,379.75
James Hagenow	\$3,732.65
Lyle Springer	\$973.56
Michael Resch	\$686.75
Norman Resch	\$9,983.65
Dave, Ed and Bill Hoyer	\$9,984.96
Bernard Resch	\$1,392.55
Frank Antosch	\$2,112.37
Julie Bubolz	\$3,306.90
Harold Sheehy	\$7,516.49
Raymond Joas	\$0.00
Associated Milk Producers	\$77,017.51
Ted Otto	\$5,099.91
Tony Resch	\$686.75
Margaret Fenlon	\$3,762.25
Gerald Verhagen	\$4,070.70
James and Darla Barker	\$2,708.30
Kyle Holtz	\$1,543.58
Philip Buhrow	\$3,688.26
Robert Ruedinger	\$876.00
Michael and Diane Rusch	\$2,673.08
Larry and Joan Oudenhoven	\$0.00
David Zentner	\$4,064.73
National Farmers Organization	\$186,424.50
James Hooyman	\$0.00
Nick Muellenbach	\$4,116.06
Claimant	Claims BD.
	Recommends
School Grove Dairy Coop.	\$0.00
Ed and Julie Henke	\$2,170.23
John and Ellen Bongert	\$2,171.76
Ronald Bastian	\$2,161.50
William Skatrud	\$5,068.74
David Jaehnig	\$2,828.57
Donald Breckheimer	\$1,328.05
Gary Koplitz	\$3,846.72
Tri-State Milk Coop.	\$43,443.71
LeRoy Krepline	\$3,564.17
David Kallas	\$3,256.07
Wayne and Sandra Erdmann	\$2,228.61
Mike Bennin	\$0.00
Paul Daun	\$0.00
Carl Boesch	\$1,122.52
Gerald Dorsey	\$2,189.88
James Hagenow	\$1,866.33
Lyle Springer	\$486.78

Michael Resch	\$343.38
Norman Resch	\$4,991.83
Dave, Ed and Bill Hoyer	\$4,992.48
Bernard Resch	\$696.28
Frank Antosch	\$1,056.19
Julie Bubolz	\$1,653.45
Harold Sheehy	\$3,758.25
Raymond Joas	\$0.00
Associated Milk Producers	\$38,508.76
Ted Otto	\$2,549.96
Tony Resch	\$343.38
Margaret Fenlon	\$1,881.13
Gerald Verhagen	\$2,035.35
James and Darla Barker	\$1,354.15
Kyle Holtz	\$771.79
Philip Buhrow	\$1,844.13
Robert Ruedinger	\$438.00
Michael and Diane Rusch	\$1,336.54
Larry and Joan Oudenhoven	\$0.00
David Zentner	\$2,032.37
National Farmers Organization	\$93,212.25
James Hooyman	\$0.00
Nick Muellenbach	\$2,058.03

The claims of Larry and Joan Oudenhoven, Raymond Joas, James Hooyman and Mike Bennin are duplicate claims and the Board concludes these claims should be denied. The Oudenhoven and Joas claims were included in the claim of Farmers Union Milk Marketing Cooperative and the Hooyman and Bennin claims were included in the Manitowoc Milk Producers claim.

The claim of Paul Daun is for hauling services provided to Kasson and therefore, is not within the scope of the Board's original award.

The claim of School Grove Dairy Cooperative is for milk sold to Kasson by another dairy plant not by a producer or producer agent and therefore, is not within the scope of the Board's original award.

Dated at Madison, Wisconsin this 5th day of September, 1991.

GARY R. GEORGE
Senate Finance Committee

JOSEPH WINEKE
Assembly Finance Committee

CHARLES B. HOSLET
Representative of Governor

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EDWARD D. MAIN
Representative of Secretary of
Administration

WILLIAM H. WILKER
Representative of Attorney
General

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

July 30, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOE KAPUSTA of Antigo, as a member of the Snowmobile Recreational Council pursuant to the statute governing, to serve for the term ending July 1, 1994.

Respectfully,
Tommy Thompson
Governor

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

State of Wisconsin
Office of the Governor

July 30, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JAMES SAARI of Hurley, as a member of the Snowmobile Recreational Council pursuant to the statute governing, to serve for the term ending July 1, 1994.

Respectfully,
Tommy Thompson
Governor

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

State of Wisconsin
Office of the Governor

September 4, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PETER J. SCHILS of Sheboygan, as a member of the Real Estate Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1995.

Respectfully,
Tommy Thompson
Governor

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

State of Wisconsin
Office of the Governor

September 12, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LORI J. SCULLY of

Mauston, as a member of the Land Information Board pursuant to the statute governing, to serve for the term ending May 1, 1997.

Respectfully,
Tommy Thompson
Governor

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

State of Wisconsin
Office of the Governor

September 12, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROBERT WELCH of Redgranite, as a member of the Land Information Board pursuant to the statute governing, to serve for the term ending May 1, 1997.

Respectfully,
Tommy Thompson
Governor

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

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 89-132

Relating to granting limited plumbing permits.

Submitted by Department of Regulation and Licensing.

Withdrawn by agency, September 12, 1991.

Senate Clearinghouse Rule 91-3

Relating to product descriptions for frozen yogurt, reduced fat cheeses and light sour cream.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from agency, September 12, 1991.

Referred to committee on Agriculture, Corrections, Health and Human Services, September 18, 1991.

Senate Clearinghouse Rule 91-33

Relating to certification of instructors, course content and mode of instruction for the traffic safety program.

Submitted by Department of Transportation.

Report received from agency, September 12, 1991.

Referred to committee on Transportation and Utilities, September 18, 1991.

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Clearinghouse Rule 91-67

Relating to staff attorney representation of nonindigent clients.

No action taken.

Lynn S. Adelman
Chair

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The committee on Tourism, Commerce, Labor, Veterans' and Military Affairs reports and recommends:

Senate Clearinghouse Rule 91-94

Relating to abolishing the financial advisory council.
No action taken.

Jerome Van Sistine
Chair

The committee on Urban Affairs, Environmental Resources and Elections reports and recommends:

Senate Clearinghouse Rule 90-152

Relating to commercial fishing on Lake Michigan and Green Bay.

No action taken.

Senate Clearinghouse Rule 91-37

Relating to sport fishing.
No action taken.

Senate Clearinghouse Rule 91-41

Relating to financial hardship assistance under the clean water fund program.

No action taken.

Brian Burke
Chair

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 195** offered by Senator Berndt.

Senate amendment 1 to **Senate Bill 197** offered by Senator Huelsman.

Senate amendment 2 to **Senate Bill 197** offered by Senator Huelsman.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 240

1. Page 5, line: substitute a colon for the period.