



# STATE OF WISCONSIN Assembly Journal

## Ninety–Second Regular Session

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TUESDAY, September 12, 1995

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

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### AMENDMENTS OFFERED

Assembly amendment 1 to Assembly amendment 2 to **Assembly Bill 140** offered by committee on Children and Families.

Assembly amendment 1 to **Assembly Bill 211** offered by committee on Judiciary.

Assembly substitute amendment 1 to **Assembly Bill 222** offered by committee on Children and Families.

Assembly amendment 2 to **Assembly Bill 276** offered by Representative Owens.

Assembly amendment 1 to **Assembly Bill 293** offered by Representative Dobyns.

Assembly amendment 2 to **Assembly Bill 293** offered by Representative Dobyns.

Assembly amendment 3 to **Assembly Bill 293** offered by Representative Dobyns.

Assembly amendment 1 to **Assembly Bill 328** offered by committee on Highways and Transportation.

Assembly amendment 1 to **Assembly Bill 330** offered by committee on Highways and Transportation.

Assembly amendment 1 to **Assembly Bill 428** offered by committee on Consumer Affairs.

Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 5 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 6 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 7 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 8 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 9 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 10 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 11 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 12 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 13 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by committee on Children and Families.

Assembly amendment 14 to Assembly substitute amendment 1 to **Assembly Bill 441** offered by Representative Schneider.

Assembly amendment 1 to **Assembly Bill 448** offered by Representative Albers.

Assembly amendment 1 to **Assembly Bill 465** offered by committee on Judiciary.

Assembly amendment 1 to **Assembly Bill 466** offered by committee on Judiciary.

Assembly amendment 1 to **Assembly Bill 467** offered by committee on Judiciary.

Assembly amendment 1 to **Assembly Bill 470** offered by committee on Children and Families.

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## ADMINISTRATIVE RULES

### **Assembly Clearinghouse Rule 94–182**

Relating to municipal wastewater sludge management regulations.

Submitted by Department of Natural Resources.  
Report received from agency on September 6, 1995.  
To committee on Environment and Utilities.  
Referred on September 12, 1995.

### **Assembly Clearinghouse Rule 95–73**

Relating to emission limitations and tampering inspections for motor vehicles.

Submitted by Department of Natural Resources.  
Report received from agency on September 6, 1995.  
To committee on Environment and Utilities.  
Referred on September 12, 1995.

### **Assembly Clearinghouse Rule 95–75**

Relating to hook and line sturgeon angling.  
Submitted by Department of Natural Resources.  
Report received from agency on September 6, 1995.  
To committee on Natural Resources.  
Referred on September 12, 1995.

### **Assembly Clearinghouse Rule 95–99**

Relating to the administration of the forest crop law and the managed forest law.

Submitted by Department of Natural Resources.  
Report received from agency on September 6, 1995.  
To committee on Natural Resources.  
Referred on September 12, 1995.

### **Assembly Clearinghouse Rule 95–105**

Relating to annual patients compensation fund and mediation fund fees for the fiscal year beginning July 1, 1995, patients compensation fund coverage for specified health care practitioners and establishing the scope of patients compensation fund coverage for service corporations.

Submitted by Office of the Commissioner of Insurance.  
Report received from agency on August 31, 1995.  
To committee on Insurance, Securities and Corporate Policy.  
Referred on September 12, 1995.

### **Assembly Clearinghouse Rule 95–121**

Relating to the economic empowerment grant program.  
Submitted by Department of Development.  
Report received from agency on September 5, 1995.  
To committee on Small Business and Economic Development.  
Referred on September 12, 1995.

### **Assembly Clearinghouse Rule 95–122**

Relating to the community development planning program.

Submitted by Department of Development.  
Report received from agency on September 5, 1995.

To committee on Small Business and Economic Development.

Referred on September 12, 1995.

### **Assembly Clearinghouse Rule 95–123**

Relating to the recycling rebate and recycling loan and grant programs.

Submitted by Department of Development.  
Report received from agency on September 5, 1995.  
To committee on Natural Resources.  
Referred on September 12, 1995.

### **Assembly Clearinghouse Rule 95–124**

Relating to the hazardous pollution prevention assessment grant program.

Submitted by Department of Development.  
Report received from agency on September 5, 1995.  
To committee on Natural Resources.  
Referred on September 12, 1995.

### **Assembly Clearinghouse Rule 95–125**

Relating to the export development loan program.  
Submitted by Department of Development.  
Report received from agency on September 5, 1995.  
To committee on Small Business and Economic Development.  
Referred on September 12, 1995.

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## INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

### **Assembly Bill 554**

Relating to: acquisition of in-state banks and in-state bank holding companies, ability of banks to contract with depository institutions for financial products and services, customer bank communications terminals, control of limited service banking institutions, meetings of bank boards of directors and committees, granting rule-making authority and providing penalties.

By Representatives Hoven, La Fave, Riley, Baldus, Vrakas, Silbaugh, Green, Jensen, Klusman and Johnsrud; cosponsored by Senators Darling, Shibilski, Breske, Panzer, Rosenzweig and Huelsman.

To committee on Financial Institutions.

### **Assembly Bill 555**

Relating to: modifying the definition of implement of husbandry.

By Representatives Ainsworth, Baldus, Ward, Albers, Coleman, Ott, Musser, Owens, Freese, Wilder, Goetsch, Hahn, Ourada, Otte, Ladwig, Olsen, Hasenohrl and Gunderson; cosponsored by Senator Schultz.

To committee on Rural Affairs.

### **Assembly Bill 556**

Relating to: a loan guarantee program for the acquisition or improvement of farm assets.

By Representatives Ott, Ainsworth, F. Lasee, Ward, Harsdorf, Baldus, Wilder, Green, Freese, Hahn, Olsen, Gard,

Albers, Hutchison, Kreibich, Gunderson, Dobyms, Musser, Seratti, Plombon and Ladwig; cosponsored by Senators Fitzgerald, Schultz, Breske, Rude, Clausing and Decker.

To committee on Agriculture.

**Assembly Bill 557**

Relating to: state finances and appropriations for the department of transportation; imposing an oil company franchise fee; authorizing populous counties to impose a petroleum products storage fee; the reporting date and payment date for the motor vehicle fuel tax; taxation of motor vehicle fuel that is not sold for use on highways; motor vehicle fuel and alternate fuel taxes and qualified motor vehicles; the formula for indexing the fuel taxes; the international fuel tax agreement and the petroleum product inspection and oil company franchise fees; authorizing construction of additional major highway projects; aids for county forest roads; environmental clean-up activities on lands acquired by the department of transportation; vehicle weight limit exceptions on a part of the national system of interstate and defense highways; numerous changes to the classified driver license system and commercial motor vehicle operation; eligibility for an occupational license; demerit point reduction for completion of a rider course relating to Type 1 motorcycle operation; vehicle accidents resulting in property damage; performance of motor vehicle registration and titling functions by motor vehicle dealers; farm truck registration; the fee for issuance or reissuance of special distinguishing motor vehicle registration plates; the fee for furnishing certain operators' records; permitting the department of transportation to make, record and use digitized images of applicants for operators' licenses and identification cards; local transportation and connecting highway aids; the funding of the urban mass transit operating assistance program; repaving a portion of I 43 in Milwaukee County; authorizing the department of transportation to conduct projects under the surface transportation discretionary grants program; railroad rehabilitation and construction loans; rehabilitation of private road crossings; the employment transit assistance program; the registration period and fees applicable to aircraft; eliminating hazardous materials transportation fees; delaying the expiration date of the disadvantaged business demonstration and training program; exempting railroad property acquired by the department of transportation from the tax-exempt property reporting requirement; granting bonding authority; granting rule-making authority; making appropriations; and providing penalties.

By Representative Brancel; cosponsored by Senator Weeden, by request of Governor Tommy G. Thompson.

To joint survey committee on Tax Exemptions.

**Assembly Bill 558**

Relating to: eliminating the prohibition against selling merchandise at less than cost.

By Representatives Krug, Jensen, Wasserman, Green, Springer, Schneiders, Ryba, Duff, Riley, Olsen, L. Young, Musser, Plache, Kelso, Seratti and Silbaugh; cosponsored by Senators Farrow, Drzewiecki and Darling.

To committee on Small Business and Economic Development.

**Assembly Bill 559**

Relating to: the midwest interstate low-level radioactive waste compact.

By Representatives Duff and Bock; cosponsored by Senators Cowles, Burke and Farrow, by request of Governor Tommy G. Thompson.

To committee on Environment and Utilities.

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September 7, 1995

Charlie R. Sanders, Chief Clerk  
Wisconsin State Assembly  
1 East Main Street, Suite 402  
Madison, WI 53708

Dear Mr. Sanders:

On September 5, 1995, **Assembly Bill 544**, relating to petitions for referenda on the issuance of school district promissory notes, was referred to the Assembly Committee on Elections and Constitutional Law. Pursuant to the authority provided by Assembly Rule 42(3)(c), I hereby withdraw **Assembly Bill 544** from the Assembly committee on Elections and Constitutional Law and rerefer it to the Assembly Committee on Education.

Representative Scott Walker, chairman of the Assembly Committee on Elections and Constitutional Law, has consented to this rereferral.

Thank you for your attention to this matter.

Very truly yours,  
DAVID PROSSER, JR.  
Assembly Speaker

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**COMMITTEE REPORTS**

The committee on *Children and Families* reports and recommends:

**Assembly Bill 42**

Relating to: giving false information to mandatory reporters of suspected child abuse or neglect and providing penalties.

Passage:

Ayes: 7 – Representatives Ladwig, Gunderson, Seratti, Goetsch, Dobyms, Huebsch and Murat.

Noes: 2 – Representatives R. Young and Morris-Tatum.

To committee on Rules.

**Assembly Bill 140**

Relating to: suspension of motor vehicle operating privilege for nonpayment of child support.

Assembly amendment 1 adoption:

Ayes: 9 – Representatives Ladwig, Gunderson, Seratti, Goetsch, Dobyms, Huebsch, R. Young, Morris-Tatum and Murat.

Noes: 0.

Assembly amendment 1 to Assembly amendment 2 adoption:

Ayes: 9 – Representatives Ladwig, Gunderson, Seratti, Goetsch, Dobyms, Huebsch, R. Young, Morris–Tatum and Murat.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 9 – Representatives Ladwig, Gunderson, Seratti, Goetsch, Dobyms, Huebsch, R. Young, Morris–Tatum and Murat.

Noes: 0.

Assembly amendment 3 adoption:

Ayes: 9 – Representatives Ladwig, Gunderson, Seratti, Goetsch, Dobyms, Huebsch, R. Young, Morris–Tatum and Murat.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Ladwig, Gunderson, Seratti, Goetsch, Dobyms, Huebsch and Murat.

Noes: 2 – Representatives R. Young and Morris–Tatum.

To Joint Committee on Finance.

#### **Assembly Bill 441**

Relating to: expanding requirements for a woman's informed consent for performance or inducement of an abortion and for consent to a minor's obtaining an abortion and providing a penalty.

Assembly substitute amendment 1 adoption:

Ayes: 7 – Representatives Ladwig, Gunderson, Seratti, Goetsch, Dobyms, Huebsch and Murat.

Noes: 2 – Representatives R. Young and Morris–Tatum.

Passage as amended:

Ayes: 6 – Representatives Ladwig, Gunderson, Seratti, Goetsch, Dobyms and Huebsch.

Noes: 3 – Representatives R. Young, Morris–Tatum and Murat.

To committee on Rules.

*BONNIE LADWIG*  
Chairperson  
Committee on Children and Families

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The committee on *Consumer Affairs* reports and recommends:

#### **Assembly Bill 428**

Relating to: price refunds in the sale of a commodity or thing, price misrepresentation in the purchase, sale or

advertising of any commodity, thing or service and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 7 – Representatives Skindrud, Johnsrud, Kreibich, Urban, Williams, La Fave and Hasenohrl.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Skindrud, Johnsrud, Kreibich, Urban, Williams, La Fave and Hasenohrl.

Noes: 0.

To committee on Rules.

#### **Assembly Bill 479**

Relating to: the requirements for persons applying for a certificate as an occupational therapist.

Passage:

Ayes: 7 – Representatives Skindrud, Johnsrud, Kreibich, Urban, Williams, La Fave and Hasenohrl.

Noes: 0.

To committee on Rules.

*RICK SKINDRUD*  
Chairperson  
Committee on Consumer Affairs

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The committee on *Education* reports and recommends:

#### **Senate Bill 50**

Relating to: civil immunity for persons who donate commercial equipment or technology to elementary or secondary schools or institutions of higher education.

Passage:

Ayes: 8 – Representatives Coleman, Nass, Brandemuehl, Duff, Ward, Ainsworth, Olsen and Plombon.

Noes: 5 – Representatives Grobschmidt, Schneider, Ziegelbauer, Baldwin and Dueholm.

To committee on Rules.

*CHARLES COLEMAN*  
Chairperson  
Committee on Education

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The committee on *Health* reports and recommends:

#### **Assembly Bill 418**

Relating to: permitting parents of certain minors to limit access by a protection and advocacy agency to the minor's treatment and patient health care records and making limitations on access by a protection and advocacy agency to treatment and patient health care records inapplicable in certain situations.

Assembly substitute amendment 1 adoption:

Ayes: 15 – Representatives Underheim, Johnsrud, Freese, Walker, Lazich, Jensen, F. Lasee, Robson, Carpenter, Bock, Huber, Springer, Wirch, Meyer and Wasserman.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Underheim, Johnsrud, Freese, Walker, Lazich, Jensen, F. Lasee, Robson, Carpenter, Bock, Huber, Springer, Wirch, Meyer and Wasserman.

Noes: 0.

To committee on Rules.

**Assembly Bill 429**

Relating to: the calibration of audiometric equipment, statutory references to hearing aid dealers and fitters and granting rule-making authority.

Passage:

Ayes: 15 – Representatives Underheim, Johnsrud, Freese, Walker, Lazich, Jensen, F. Lasee, Robson, Carpenter, Bock, Huber, Springer, Wirch, Meyer and Wasserman.

Noes: 0.

To committee on Rules.

**Assembly Bill 430**

Relating to: the requirements for persons applying for a certificate as a respiratory care practitioner.

Passage:

Ayes: 15 – Representatives Underheim, Johnsrud, Freese, Walker, Lazich, Jensen, F. Lasee, Robson, Carpenter, Bock, Huber, Springer, Wirch, Meyer and Wasserman.

Noes: 0.

To committee on Rules.

*GREGG UNDERHEIM*  
Chairperson  
Committee on Health

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The committee on *Highways and Transportation* reports and recommends:

**Assembly Bill 328**

Relating to: appeals of highway orders of town supervisors.

Assembly amendment 1 adoption:

Ayes: 13 – Representatives Brandemuehl, Otte, Silbaugh, Hahn, Zukowski, Musser, Lehman, Hasenohrl, Turner, L. Young, Ryba, Riley and Kreuser.

Noes: 1 – Representative Baumgart.

Passage as amended:

Ayes: 13 – Representatives Brandemuehl, Otte, Silbaugh, Hahn, Zukowski, Musser, Lehman, Hasenohrl, Turner, L. Young, Ryba, Riley and Kreuser.

Noes: 1 – Representative Baumgart.

To committee on Rules.

**Assembly Bill 330**

Relating to: vehicle color and motor vehicle registration and providing a penalty.

Assembly amendment 1 adoption:

Ayes: 13 – Representatives Brandemuehl, Otte, Silbaugh, Hahn, Zukowski, Musser, Hasenohrl, Baumgart, Turner, L. Young, Ryba, Riley and Kreuser.

Noes: 1 – Representative Lehman.

Passage as amended:

Ayes: 10 – Representatives Brandemuehl, Otte, Silbaugh, Hahn, Zukowski, Hasenohrl, L. Young, Ryba, Riley and Kreuser.

Noes: 4 – Representatives Musser, Lehman, Baumgart and Turner.

To Joint Committee on Finance.

**Assembly Bill 395**

Relating to: exempting from vehicle registration certain vehicles owned by a technical college district board and used for educational purposes.

Assembly substitute amendment 1 adoption:

Ayes: 14 – Representatives Brandemuehl, Otte, Silbaugh, Hahn, Zukowski, Musser, Lehman, Hasenohrl, Baumgart, Turner, L. Young, Ryba, Riley and Kreuser.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Brandemuehl, Otte, Silbaugh, Hahn, Zukowski, Musser, Lehman, Hasenohrl, Baumgart, Turner, L. Young, Ryba, Riley and Kreuser.

Noes: 0.

To committee on Rules.

**Senate Bill 131**

Relating to: towing and storage liens.

Concurrence:

Ayes: 14 – Representatives Brandemuehl, Otte, Silbaugh, Hahn, Zukowski, Musser, Lehman, Hasenohrl, Baumgart, Turner, L. Young, Ryba, Riley and Kreuser.

Noes: 0.

To committee on Rules.

*DAVID BRANDEMUEHL*  
Chairperson  
Committee on Highways and  
Transportation

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The committee on *Housing* reports and recommends:

**Assembly Bill 391**

Relating to: disclosures of conditions of residential real estate.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Owens, Kaufert, Silbaugh, Green, Vrakas, Bell, Baldwin and Wilder.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Owens, Kaufert, Silbaugh, Green, Vrakas, Bell, Baldwin and Wilder.  
Noes: 0.

To committee on Rules.

*CAROL OWENS*  
Chairperson  
Committee on Housing

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The committee on *Judiciary* reports and recommends:

**Assembly Bill 152**

Relating to: termination of a decedent's interests in property.

Passage:

Ayes: 8 – Representatives Green, Grothman, Hahn, Vrakas, Freese, Rutkowski, Notestein and Cullen.  
Noes: 0.

To committee on Rules.

**Assembly Bill 211**

Relating to: juries in misdemeanor cases.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Green, Grothman, Hahn, Vrakas, Freese, Rutkowski, Notestein and Cullen.  
Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Green, Grothman, Hahn, Vrakas and Freese.  
Noes: 3 – Representatives Rutkowski, Notestein and Cullen.

To committee on Rules.

**Assembly Bill 297**

Relating to: making life members of the national conference of commissioners on uniform state laws Wisconsin commissioners on uniform state laws.

Passage:

Ayes: 8 – Representatives Green, Grothman, Hahn, Vrakas, Freese, Rutkowski, Notestein and Cullen.  
Noes: 0.

To Joint Committee on Finance.

**Assembly Bill 465**

Relating to: limiting appeals as a matter of right to traffic regulation cases in which the penalty is a forfeiture.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Green, Grothman, Hahn, Vrakas, Freese, Rutkowski, Notestein and Cullen.  
Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Green, Grothman, Hahn, Vrakas, Freese, Rutkowski, Notestein and Cullen.  
Noes: 0.

To committee on Rules.

**Assembly Bill 466**

Relating to: the award of litigation expenses in condemnation proceedings.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Green, Grothman, Hahn, Vrakas, Freese, Rutkowski, Notestein and Cullen.  
Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Green, Grothman, Hahn, Vrakas, Freese, Rutkowski, Notestein and Cullen.  
Noes: 0.

To committee on Rules.

**Assembly Bill 467**

Relating to: restitution.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Green, Grothman, Hahn, Vrakas, Freese, Rutkowski, Notestein and Cullen.  
Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Green, Grothman, Hahn, Vrakas, Freese, Rutkowski, Notestein and Cullen.  
Noes: 0.

To committee on Rules.

*MARK GREEN*  
Chairperson  
Committee on Judiciary

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The committee on *Veterans and Military Affairs* reports and recommends:

**Assembly Bill 540**

Relating to: granting the department of veterans affairs increased bond refunding authority.

Passage:

Ayes: 7 – Representatives Musser, Dobyms, Skindrud, Lorge, Ryba, Boyle and Baldus.  
Noes: 0.

To Joint Committee on Finance.

*TERRY MUSSER*  
Chairperson  
Committee on Veterans and Military Affairs

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**COMMUNICATIONS**

State of Wisconsin  
Revisor of Statutes Bureau  
Madison

September 1, 1995

Charles R. Sanders  
Assembly Chief Clerk

Donna Doyle  
Assistant Senate Chief Clerk

The following rules have been published:

Clearinghouse Rule 93-158	effective	9-1-95
Clearinghouse Rule 94-141	effective	9-1-95
Clearinghouse Rule 94-163	effective	9-1-95
Clearinghouse Rule 94-164	effective	9-1-95
Clearinghouse Rule 94-181	effective	9-1-95
Clearinghouse Rule 94-187	effective	9-1-95
Clearinghouse Rule 94-213	effective	9-1-95
Clearinghouse Rule 94-215	effective	9-1-95

Clearinghouse Rule 94-218	effective	9-1-95
Clearinghouse Rule 94-222	effective	9-1-95
Clearinghouse Rule 94-224	effective	9-1-95
Clearinghouse Rule 95-1	effective	9-1-95
Clearinghouse Rule 95-2	effective	9-1-95
Clearinghouse Rule 95-3	effective	9-1-95
Clearinghouse Rule 95-9	effective	9-1-95
Clearinghouse Rule 95-20	effective	9-1-95
Clearinghouse Rule 95-25	effective	9-1-95
Clearinghouse Rule 95-29	effective	9-1-95 (part)
Clearinghouse Rule 95-42	effective	9-1-95
Clearinghouse Rule 95-46	effective	9-1-95
Clearinghouse Rule 95-58	effective	9-1-95
Clearinghouse Rule 95-64	effective	9-1-95
Clearinghouse Rule 95-71	effective	9-1-95
Clearinghouse Rule 95-72	effective	9-1-95
Clearinghouse Rule 95-94	effective	9-1-95

Sincerely,  
*GARY L. POULSON*  
Deputy Revisor