

STATE OF WISCONSIN

Senate Journal

Eighty-Fifth Regular Session

TUESDAY, July 7, 1981.

2:00 P.M.

The senate met.

The senate was called to order by the president of the senate.

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

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasec, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

The senate stood for the prayer which was offered by Reverend William Koehler, Senior Minister of Lake Edge United Church of Christ of Madison.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 35

Relating to commending the United Brotherhood of Carpenters and Joiners of America, AFL-CIO, on its centennial anniversary.

By Senator Van Sistine.

Read and referred to committee on Labor, Government, Veterans Affairs and Tourism.

By request of Senator Van Sistine, with unanimous consent, **Senate Joint Resolution 35** was withdrawn from committee on Labor,

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Government, Veterans Affairs and Tourism and referred to committee on Senate Organization.

COMMITTEE REPORTS

The committee for Review of Administrative Rules reports and recommends:

Assembly Bill 610

Relating to residency requirements for state employes in the classified service.

Concurrence:

Ayes, 5 -- Senators Berger, Goyke, Harnisch, George and Kreul;

Noes, 0 -- None.

DAVID BERGER

Chair

The committee on Education and State Institutions reports and recommends:

Senate Bill 6

Relating to requiring public and private schools to conduct tornado drills.

Passage:

Ayes, 2 -- Senators Goyke and Thompson;

Noes, 1 -- Senator George.

GARY GOYKE

Chair

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PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

June 29, 1981.

To the Honorable, the Senate:

I have the honor to transmit to you the following information pursuant to s. 13.695(8):

Yours very truly,
VEL PHILLIPS
Secretary of State

Lobbyist's name, address, telephone number; principal's name, address, telephone number.

Boullion, James, 14 S. Carroll St., Madison, WI 53703 (608) 257-4664; We Care America, RFD #1, Suring, WI 54174 (414) 842-2083; 1-25; 101-185.

Olenchek, Roland S., P.O. Drawer 10K, 5225 W. Vliet St., Milwaukee, WI 53201 (414) 475-8282; Board of School Directors of the City of Milwaukee, P.O. Drawer 10K, 5225 W. Vliet St., Milwaukee, WI 53201; 2, 4-12, 14, 17-20, 22-24; 101, 104, 113, 118, 119, 121-129, 136-138, 140, 142, 144-146, 148-151, 158, 170, 171, 174, 176, 178, 184.

Parys, Ronald, 206 E. Olin Ave., Madison, WI 53713 (608) 251-0368; We Care America, RFD #1, Suring, WI 54174 (414) 842-2083; 1-25; 101-185.

Peterburs, John J., P.O. Drawer 10K, 5225 W. Vliet St., Milwaukee, WI 53201 (414) 475-8282; Board of School Directors of the City of Milwaukee, P.O. Drawer 10K, 5225 W. Vliet St., Milwaukee, WI 53201; 2, 4-12, 14, 17-20, 22-24; 101, 104, 113, 118, 119, 121-129, 136-138, 140, 142, 144-146, 148-151, 158, 170, 171, 174, 176, 178, 184.

Wahner, James W., 136 Church St., Sun Prairie, WI 53590 (608) 255-2971 (Ask for C.U.B. office) Citizens Utility Board of Wisconsin, P.O. Box #8003, Madison, WI 53708 (608) 255-2971 (Ask for C.U.B. office); 3, 17, 26; 109, 140, 144, 149.

Terminations:

Linton, Thomas A., P.O. Drawer 10K, 5225 W. Vliet St., Milwaukee, WI 53201, effective June 25, 1981.

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**State of Wisconsin
Claims Board**

July 1, 1981

**Don Schneider
Senate Chief Clerk
State Capitol
Madison, Wisconsin**

Dear Mr. Schneider:

Enclosed is the report of the State Claims Board covering claims heard on June 22, 1981.

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

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

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

Sincerely,
EDWARD D. MAIN
Secretary

**STATE OF WISCONSIN
CLAIMS BOARD**

The State Claims Board conducted hearings at the State Capitol Building, Madison, Wisconsin on June 22, 1981, upon the following claims:

Claimant	Amount
James Grunewald, Jr.	\$800.00
Marian Hoffman	29,068.31
Town of Sheboygan Falls	5,350.09

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

Michael Metcalf	70,000.00
Dodge County	750.00
Kickapoo Orchard, Inc.	725.00
Premo Orchards	500.00

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Daniel Farrar	34.88
Washington County	25.08
Irene Kuehl	5,000,000.00
Beverly Irish	250.00
Linda Kohlbeck	25.99
Mary Beckman	14.56
Tim & Mary Neverdahl	15,000.00
Helen Yopek	250,000.00
Daniel Yopek	60,000.00
Wescor, Inc.	18,357.00
David Dowdell	185.00
Rock Co. Dept. of Social Services	938.77
Vicki Dawson	100.00
Albert Wilke	28.00
Heritage Mutual Ins. Co.	100,000.00
Crest Cadillac, Inc.	65.00
Babcock & Wilcox	7,383.00
Roxanne Davis	998.89

THE BOARD FINDS:

1. James Grunewald, Jr., of Fall Creek, Wisconsin, claims \$800.00 for the loss of his dog which was killed on December 29, 1979, by a Department of Natural Resources conservation warden. The warden observed claimant's dog chasing deer and shot the dog pursuant to s. 29.05(7), Stats., which provides in part, "It is lawful for any conservation warden . . . charged with the enforcement of laws dealing with the conservation of the natural resources of the state, to destroy any dog found running, worrying, or killing any deer . . . , if they deem necessary." Claimant alleges the warden intentionally shot the dog because the dog had been trained solely for the purpose of hunting rabbits and did not chase 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. Marian Hoffman of Athens, Wisconsin, claims \$575.46 for medical expenses; \$1,096.00 for loss of wages; \$2,375.00 for vehicle repairs; \$21.85 for vehicle towing and \$25,000.00 for pain, suffering, and permanent disability for a total claim of \$29,068.31 for damages sustained in a motor vehicle accident on State Highway 13 in Taylor County, Wisconsin, June 27, 1979. Claimant was operating her vehicle in a southerly direction on Highway 13 and when stopped in traffic about to make a left turn at the intersection of South Street in Medford, Wisconsin, her vehicle was struck from behind by a state

patrol vehicle operated by a state patrol officer. The Board concludes this claim should be denied and recommends that claimant continue pursuing the action that has been commenced in another forum, relative to this claim.

3. Town of Sheboygan Falls, Wisconsin, claims \$5,350.09 as the cost of correcting a drainage problem near property owned by Sigmund Bulitz in the Town of Sheboygan Falls on Rangeline Road during April, May, and June, 1980. Claimant alleges the construction of Highway 23 caused a lake to form which eventually flooded the township road. In order to reduce the water level a string of tile was laid by claimant to drain the water off the road. A Department of Transportation investigation indicated that Mr. Bulitz had entered into a agreement with the contractor that was performing the grading of Highway 23, to effect placement of waste on his property and the flooding of the town road was caused by the change of drainage in the Bulitz property. 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.

4. Micheal Metcalf of Ellsworth, Wisconsin, claims \$70,000.00 for recovery of personal injuries, loss of wages, and property damages to his truck incurred on November 18, 1980 on Highway 183 in Pierce County, Wisconsin, when he hit a deer. There is no statutory provision for payment of damages resulting from collisions between motor vehicles and deer. The Board concludes this claim is not one for which the state is legally liable, nor one for which the state should assume and pay based of equitable principles.

5. Dodge County claims \$750.00 for cost-sharing reimbursement for enlarging the Beaver Dam Lake fish rearing pond in Dodge County on December 9, 1980. Section 23.09(12), Stats., establishes a program of state aids for up to 50% of the eligible costs of county fish management projects. The project was completed in accordance with the Department of Natural Resources specifications and would have been eligible for state aids except for the fact the work was completed prior to entering into the grant agreement with the Department of Natural Resources. The Board concludes the claim should be paid based on equitable principles.

6. Kickapoo Orchard, Inc., of Gays Mills, Wisconsin claims \$725.00 for deer damages to its apple orchard which occurred during the summer of 1980. Section 29.595, Stats., previously authorized the Department of Natural Resources to pay damages caused by deer to crops on agricultural lands provided proper notice was given to the Department. However, the statutory provision enabling payment has

been repealed by the state legislature by Chapter 34, Laws of 1979, which provides no payment can be made for damages occurring after March 31, 1980. Therefore, the Board feels it cannot honor claims of this type and 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.

7. Premo Orchards of Richland Center, Wisconsin, claims damages in excess of \$500.00 to its apple orchard occurring sometime after March 31, 1980. Section 29.595, Stats., previously authorized the Department of Natural Resources to pay damages caused by deer to crops on agricultural lands provided proper notice was given to the Department. However, the statutory provision enabling payment has been repealed by the state legislature by Chapter 34, Laws of 1979, which provides no payment can be made under the deer damage program for damages occurring after March 31, 1980. Therefore, the Board feels it cannot honor claims of this type and 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.

8. Daniel Farrar of Baraboo, Wisconsin, claims \$34.88 as the replacement cost of his eyeglasses which were damaged while he was attending a state sponsored CPR training course at the St. Claire Hospital in Baraboo, Wisconsin, on March 17, 1981. While performing a two-man CPR exercise, in the midst of changing positions from head to chest, claimant collided heads with another employe, breaking the right bow of the front frame of his eyeglasses and chipping the right lens. 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. Washington County claims \$25.08 for repairing a table in the County Courthouse in West Bend that was damaged during a Conservation Congress public hearing on April 28, 1980. A Department of Natural Resources conservation warden made arrangements for the use of the county courthouse for the county public hearing on proposed Administrative rule change. 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.

10. Irene Kuehl of Omro, Wisconsin, claims \$5,000,000.00 for alleged harassment and abuse while a patient at the Winnebago Mental Health Institute during 1980. Claimant was admitted to the Institute on May 6, 1980 for emergency detention and was legally committed to the Institute on May 14, 1980 for treatment of mental

illness. Claimant was at times secluded against her will but it was because of threatening and agitated behavior and for her own protection. Claimant was discharged from the Institute on July 16, 1980. 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. Beverly Irish of Kenosha, Wisconsin, claims \$250.00 for damages to her diamond ring on March 14, 1981, at the Southern Wisconsin Center where she is employed as an institutional aide. Claimant was attacked by a resident of the Center, who bit claimant's ring, breaking the mounting. The \$250.00 is based on the replacement cost of the mounting. The Board concludes the claim in the reduced amount of \$100.00 should be paid based on equitable principles.

12. Linda Kohlbeck of Chippewa Falls, Wisconsin, claims \$25.99 as the replacement cost of her shoes allegedly stolen on March 18, 1981, from the gym at the Northern Wisconsin Center. Claimant is employed as an aide at the Center and was accompanying residents to a Jazzercise class on the date of this incident. The shoes were placed on the gym room bleachers and while claimant was assisting the residents, the shoes disappeared. The Board concludes there is an insufficient showing of negligence on the part of the state, its officers, or employes, and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

13. Mary Beckman of Middleton, Wisconsin, claims \$14.56 for damages to her shirt on February 20, 1981, at her place of employment at the State Office Building at One West Wilson Street. A black substance had dripped from an overhead florescent light fixture onto a chair in a conference room located in the building. When claimant sat in the chair her shirt absorbed the substance and could not be removed. The Board concludes the claim should be paid based on equitable principles.

14. Tim and Mary Neverdahl of River Falls, Wisconsin, claims \$15,000.00 for past and future medical expenses, pain, suffering, and disability; and future loss of society and companionship as a result of personal injuries suffered by Mary Neverdahl on or about September 11, 1980, at the University of Wisconsin-River Falls campus. Claimant, Mary Neverdahl, was assigned to clean the house barn at the campus laboratory farm as part of the work for a course in animal science. The task involved hauling horse manure from the horse barn to a manure spreader in a wheelbarrow. It was necessary for claimant to push the wheelbarrow up a wooden ramp to a platform

set next to the manure spreader. In an attempt to back the wheelbarrow down the ramp, claimant slipped and sustained an injury to her head. It is a normal, recommended procedure for students performing this chore to turn the wheelbarrow around and proceed forward down the ramp. 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. Helen Yopek of Green Bay, Wisconsin, claims \$250,000.00 for damages she sustained on June 20, 1980 when she dove into a swimming pool in the Phoenix Sports Center, University of Wisconsin-Green Bay campus, and struck her head on the bottom of the pool. Claimant's medical expenses amounted to \$10,427.14. Claimant has been reimbursed \$8,027.48 of those medical expenses through insurance coverage leaving a balance of \$2,399.66 unreimbursed medicals. The balance of the claim is \$247,600.34 for pain, suffering and disability. The Board concludes there had 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, but concludes that the reimbursed medical expenses in the amount of \$2,399.66 should be paid on equitable principles.

16. Daniel Yopek of Green Bay, Wisconsin, claims \$60,000.00 for the loss of the care, society and companionship of his wife, Helen Yopek, since June 20, 1980, when she dove into a swimming pool in the Phoenix Sports Center, University of Wisconsin-Green Bay campus, and struck her head on the bottom of the pool sustaining injuries. 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. Wescor, Inc., of Logan, Utah, claims \$18,357.00 for data-gathering equipment they sold to the University of Wisconsin System, Board of Regents, in September, 1975. The University of Wisconsin purchasing department requested bids for the purchase of a data record and read system. Claimant submitted a bid and was selected low bidder. A subsequent modification of the system was also accepted by claimant. The purchase order required delivery of the equipment system within 120 days of the issuance of a purchase order dated September 19, 1975. In March, 1976, the University of Wisconsin called claimant to inquire why the equipment had not been shipped and it was learned that an engineering student was designing the system and not making the anticipated progress. In 1976,

claimant loaned a main frame data logger unit to the University of Wisconsin. While that equipment was not the system subject to order, it could be used for some tasks. That equipment was later returned to claimant for repairs. From the Fall, 1976, until January, 1978, the University of Wisconsin requested claimant to deliver the entire system as specified in the original purchase order. In late January or early February, 1978, claimant promised delivery of the equipment to the University within one week. After two weeks the University wrote claimant informing of their decision to cancel the purchase. Shortly after the remainder of the equipment was received by the University at which time the University called to inform claimant of their intention to return the equipment due to the fact that the purchase order had been cancelled for claimant's failure to perform. The University of Wisconsin was informed that Wescor, Inc. would refuse the equipment if returned so the equipment has remained in Madison in storage. It is the University of Wisconsin's position that the transaction was rescinded because of claimant's failure to timely tender and/or deliver the equipment system as ordered. 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.

18. David Dowdell of Fairmont, West Virginia, claims \$185.00 for the replacement cost of his coat allegedly stolen from a coatrack in the hall of the University of Wisconsin-Extension, Wisconsin Center Building, while he was attending a Water Storage Facilities Conference on December 11, 1980. 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.

19. Rock County Department of Social Services claims \$938.77 as the amount of medical assistance paid to Brian Larson for medical expenses he incurred when he was injured in an Industrial Arts class at the Wisconsin School for the Visually Handicapped on January 12, 1979. Claimant alleges that pursuant to s. 49.65(1), Stats., they are subrogated to the rights of Brian Larson against the State of Wisconsin. The Board concludes this claim is not one for which the state is legally liable, nor one the state should assume and pay based on equitable principles.

20. Vicki Dawson of Madison, Wisconsin, claims \$100.00 for the loss of her CB radio from her automobile while parked in her assigned stall in the General Executive Facility #1 parking garage on July 3, 1979. A parking tag/agreement signed by claimant in December,

1978 indicated, "Notice to all users. Park at your own risk. Management is not responsible for loss of articles, damages or theft of vehicles." The state will not assume the role of an insurer of property under these circumstances. The Board concludes this claim is not one for which the state is legally liable, nor one for which the state should assume and pay based on equitable principles.

21. Albert Wilke of Waukesha, Wisconsin, claims \$28.00 for damages to his shirt and pants on June 16, 1980 at a wayside bench in Arena, Wisconsin. After sitting on the bench claimant found brown stain spots on his clothes which could not be removed. The "wet paint" signs had been posted for three days and removed after subsequent inspection revealed the paint on the bench had dried. However, the hot weather caused some of the stain to come to the surface of the wood, causing damage to claimant's clothes. The Board concludes the claim should be paid based on equitable principles.

22. Heritage Mutual Insurance Company of Hartford, Wisconsin, claims \$100,000.00 subrogation damages. Its insured, Bruce Dillman, who was at the time a member of the Wisconsin National Guard, was operating a motor vehicle in the Wisconsin National Guard Parade on September 16, 1978. Mr. Dillman struck a traffic barricade which then hit a bystander, Bea Teichmiller. Ms. Teichmiller has commenced an action against Mr. Dillman and claimant for personal injuries as a result of the accident. It is a long-standing policy of this Board to deny subrogation claims made by insurance carriers. The Board concludes this claim is not one which the state should assume and pay based on equitable principles.

23. Crest Cadillac, Inc., of Milwaukee, Wisconsin, obtained and paid for a reservation of the corporate name "Capitol Real Estate Corporation" from the Secretary of State on July 17, 1980. On August 1, 1980, claimant's Articles of Incorporation were delivered to the Secretary of State for filing but were returned on the basis that the name "Capitol Real Estate Corporation" was unavailable. The Board concludes the claim in the amount of \$65.00 should be paid since the expenditure made was due to the negligence of the Secretary of State's Office.

24. Babcock & Wilcox Company of New Orleans, Louisiana, claims \$7,383.00 for an overpayment to the Secretary of State's Office relating to the company's 1979 Wisconsin Foreign Corporation Annual Report. The report contained two figures that were based on consolidated financial statements and thus were erroneous. An Attorney General's Opinion was requested by the Secretary of State's Offices for the purpose of determining whether a refund should be paid to claimant. The opinion concluded that there

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are no provisions in ch. 180, Stats., which authorize the Secretary of State to refund fees collected under sec. 180.87, Stats. "Section 180.87, Stats., requires the fee be paid on assets shown in the annual report. Under a literal interpretation of this statute, claimant paid the correct fee. Insofar as the Secretary of State is concerned, it is the responsibility of the corporation to investigate the facts and not to carelessly settle, trusting to future investigation to show a mistake of fact enabling it to recover back fee. 66 Am. Jur. 2d Restitution & Implied Contracts 133." Overpayments of the type made by claimant are not automatic losses to the corporation involved, even if they are not refunded. Any such payment may be credited against future Annual report filing fee liability of the corporation involved. The Board concludes there has been an insufficient showing of negligence of 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. However, the Board recommends that the amount of overpayment be used as a credit to claimant's capital representation account for future expansion or business in the State of Wisconsin.

25. Roxanne Davis of Greenfield, Wisconsin, claims \$998.89 for back wages from the Captain's Chair, Inc., Oregon, Wisconsin, from January 12, 1976 through July 30, 1976. On August 2, 1977, claimant submitted form ERD-4522, properly executed, to the Department of Industry, Labor & Human Relations, Division of Apprenticeship and Training, to sue the Captain's Chair to recover back wages and penalties. The action was part of a joint action encompassing five other persons who were requesting the Department to sue the Captain's Chair, Inc., to recover lost wages. In the processing of the suit, claimant's name was omitted from the joint action against the Captain's Chair, Inc., by the Department of Industry, Labor & Human Relations. This omission occurred without claimant's knowledge or approval. The Department of Industry, Labor & Human Relations has been informed by the Attorney General's Office that in the matter of the Captain's Chair, Inc., Case No. 163-260, the state won the case in the State Supreme Court for the five plaintiffs named in the suit. 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.

THE BOARD CONCLUDES:

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

James Grunewald, Jr.
Marian Hoffman
Town of Sheboygan Falls

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**Michael Metcalf
Kickapoo Orchard, Inc.
Premo Orchards
Daniel Farrar
Washington County
Irene Kuehl
Linda Kohlbeck
Tim & Mary Neverdahl
Daniel Yopek
Wescor, Inc.
David Dowdell
Rock Co. Dept. of Social Services
Vicki Dawson
Heritage Mutual Ins. Co.
Babcock & Wilcox Co.
Roxanne Davis**

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

Dodge County	750.00
Beverly Irish	100.00
Mary Beckman	14.56
Albert Wilke	28.00
Crest Cadillac, Inc.	65.00

THE BOARD RECOMMENDS:

1. Payment of \$2,399.66 be made to Helen Yopek, as reimbursement of medical expenses not reimbursed through insurance as a result of an injury she sustained on or about September 1, 1980, at the University of Wisconsin-River Falls campus.

Dated at Madison, Wisconsin this 1st day of July, 1981.

**GERALD D. KLECZKA
Senate Finance Committee**

**VIRGIL D. ROBERTS
Assembly Finance Committee**

**LAURIE ANN McCALLUM
Representative of Governor**

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EDWARD D. MAIN
Representative of Secretary of
Administration

WARD L. JOHNSON
Representative of Attorney
General

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

July 3, 1981

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Chapter No.	Date Approved
451 -----	17-----	July 2, 1981

Sincerely,
LEE SHERMAN DREYFUS
Governor

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 81-54

AN ORDER to amend Med 11.04 (title) and (1) (intro.) and (g) and 11.05, relating to performance of abortions in facilities other than hospitals.

Submitted by Department of Regulation and Licensing.

Report received from agency, July 3, 1981.

Referred to committee on Human Services, July 7, 1871.

Clearinghouse Rule 81-58

AN ORDER to amend A-E 1.13 (1) and 5.01 (1) (b); and to create A-E 1.13 (5), relating to experience requirements for applicants for registration as architects and minimum standards for property surveys.

Submitted by Department of Regulation and Licensing.

Report received from agency, July 3, 1981.

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Referred to committee on Human Services, July 7, 1981.

Clearinghouse Rule 81-119

AN ORDER to amend s. NR 10.22 (2) (b) 3 (intro.); to repeal and recreate ss. NR 10.01 (3) (e) 9 e, 10.22 (2) (b) 3 e and 10.28 (1); and to create s. NR 10.01 (4) (c) 4, relating to changes in 1981-82 hunting and trapping regulations.

Submitted by Department of Natural Resources.

Report received from agency, July 6, 1981.

Referred to committee on Agriculture and Natural Resources, July 7, 1981.

The committee on Agriculture and Natural Resources reports and recommends:

Clearinghouse Rule 81-18

AN ORDER to amend NR 20.04 (3) (c) 4 e, relating to permission to snag trout and salmon only in the streams tributary to Lake Michigan upstream to the first dam.

No action taken.

Clearinghouse Rule 81-105

A RESOLUTION designating Brown County a 'study area' under s. 232.10, Stats.

[Note: This proposed resolution establishes a solid waste recycling 'study area'. It is submitted to the Legislature for review under s. 232.10, Stats. This resolution is not a proposed administrative rule, but is being processed as a rule in order to establish and preserve a procedural record under s. 232.10 (5).]

No action taken.

Clearinghouse Rule 81-47

AN ORDER to amend NR 155.03 (4), relating to ambient air quality standards--ozone.

No action taken.

Clearinghouse Rule 81-46

AN ORDER to amend NR 154.13 (12) (a) (intro.) and (g) 5; and to create NR 154.13 (12) (h), relating to the control of organic compound emissions.

No action taken.

Clearinghouse Rule 81-87

AN ORDER to repeal and recreate ch. NR 107, relating to aquatic nuisance control.

No action taken.

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Clearinghouse Rule 80-230

A RULE to create NR 110.08 (5), relating to approval of new sewage treatment facilities.

No action taken.

Clearinghouse Rule 80-231

A RULE to amend NR 121.01 and 121.03 to 121.09, relating to areawide water quality management plans.

No action taken.

THOMAS HARNISCH
Chair

State of Wisconsin
Revisor of Statutes Bureau
Madison, Wisconsin

July 1, 1981

Donald J. Schneider
Senate Chief Clerk
State Capitol
Madison, Wisconsin

Dear Mr. Schneider:

The following rules have been published and are effective:

- Clearinghouse Rule 80-160 effective July 1, 1980.
- Clearinghouse Rule 80-165 effective July 1, 1980.
- Clearinghouse Rule 80-196 effective July 1, 1981.
- Clearinghouse Rule 80-205 effective July 1, 1981.
- Clearinghouse Rule 80-206 effective July 1, 1981.
- Clearinghouse Rule 80-229 effective July 1, 1981.
- Clearinghouse Rule 80-249 effective July 1, 1981.
- Clearinghouse Rule 81-12 effective July 1, 1981.
- Clearinghouse Rule 81-22 effective July 1, 1981.
- Clearinghouse Rule 81-36 effective July 1, 1981.
- Clearinghouse Rule 81-40 effective July 1, 1981.
- Clearinghouse Rule 81-52 effective July 1, 1981.
- Clearinghouse Rule 81-67 effective July 1, 1981.
- Clearinghouse Rule 81-70 effective July 1, 1981.

Sincerely,
GARY L. POULSON
Assistant Revisor

AMENDMENTS OFFERED

Senate amendment 1 to senate amendment 66 to **Assembly Bill 66** by Senator Van Sistine.

Senate amendment 1 to senate amendment 94 to **Assembly Bill 66** by Senator Maurer.

Senate amendments 114 and 115 to **Assembly Bill 66** by Senator Lorge.

Senate amendment 116 to **Assembly Bill 66** by Senator Hasdorf.

Senate amendment 117 to **Assembly Bill 66** by Senators Harsdorf, Chilsen, Hanaway, Lorman, Johnston, Bidwell, Engeleiter, Kreul, Theno, Lasee, Opitz, Krueger and Roshell.

Senate amendments 118, 119, 120, 121 and 122 to **Assembly Bill 66** by Senator Harsdorf.

Senate amendment 123 to **Assembly Bill 66** by Senators Bidwell, Chilsen, Engeleiter, Hanaway, Harsdorf, Johnston, Krueger, Kreul, Lasee, Lorge, Lorman, McCallum and Opitz.

Senate amendment 124 to **Assembly Bill 66** by Senators Bidwell, Chilsen, Engeleiter, Hanaway, Harsdorf, Johnston, Krueger, Kreul, Lasee, Lorman, McCallum, Opitz and Theno.

Senate amendment 125 to **Assembly Bill 66** by Senators Risser, Bablitch, Flynn and Kleczka.

Senate amendment 1 to senate amendment 125 to **Assembly Bill 66** by Senator Berger.

Senate amendment 126 to **Assembly Bill 66** by Senator Kreul.

Senate amendment 127 to **Assembly Bill 66** by Senators Berger and Braun.

Senate amendment 128 to **Assembly Bill 66** by Senator Berger.

Senate amendment 129 to **Assembly Bill 66** by Senators Lorman, Kreul and Thompson.

Senate amendment 130 to **Assembly Bill 66** by Senators Lorman, Krueger, Cullen and Engeleiter.

Senate amendment 131 to **Assembly Bill 66** by Senators Lorman, Engeleiter and Cullen.

Senate amendments 132, 133, 134 and 135 to **Assembly Bill 66** by Senator Lorge.

Senate amendment 136 to **Assembly Bill 66** by Senators Engeleiter, Johnston and Kreul.

Senate amendment 137 to **Assembly Bill 66** by Senator Chilsen.

Senate amendments 2 and 3 to senate amendment 125 to **Assembly Bill 66** by Senator Hanaway.

Senate amendment 4 to senate amendment 125 to **Assembly Bill 66** by Senators Hanaway, Lorman and McCallum.

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Senate amendment 5 to senate amendment 125 to **Assembly Bill 66** by Senators Johnston, Kreul and Hanaway.

Senate amendment 138 to **Assembly Bill 66** by Senator Lorge.

By request of Senator Lasee, with unanimous consent, the senate recessed until 4:00 P.M.

2:11 P.M.

RECESS

4:00 P.M.

The senate reconvened.

Upon motion of Senator Flynn the senate adjourned until 9:00 A.M. Wednesday, July 8.

4:03 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 376

1. Page 1, line 2: delete "legislative".

Senate Bill 484

1. Page 1, line 4: delete "727.275" and substitute "757.275".
2. Page 1, line 5: delete "727.275" and substitute "757.275".

Assembly Bill 66

1. Page 13, line 26: substitute "assessment" for "assesment".
2. Page 163, line 14: delete "(e)" and substitute "(f)".
3. Page 235, line 28: substitute "exclusive" for "exclusively".
4. Page 273, line 33: strike through the plain comma.
5. Page 376, line 20: delete "sub." and substitute "sub. subs.".
6. Page 399, line 19: delete the period before "and".
7. Page 411, line 13:: after "law" insert a quotation mark and period.
8. Page 572, line 5: substitute "1981" for "1979".
9. Page 627, line 21: after "publication" insert a comma.

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Assembly Bill 66, senate amendment 26

1. Page 1, line 3: delete "727.275" and substitute "757.275".
2. Page 1, line 4: delete "727.275" and substitute "757.275".

Assembly Bill 66, senate amendment 62

1. Page 1, line 18: delete "27" and substitute "29".