

STATE OF WISCONSIN

**Senate Journal**

**Eighty-Fifth Regular Session**

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TUESDAY, October 13, 1981.

10:00 A.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, Lasee, 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 Pastor Carl Selle, Calvary Lutheran Chapel, campus pastor at University of Wisconsin Missouri Synod, Madison.

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

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INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 617**

Relating to penalties for felonies committed with a dangerous weapon.

By Senators Hanaway, Kreul, Berger, Van Sistine, Johnston, Lorman and Lasee; cosponsored by Representatives Shoemaker, Dilweg, Prosser, **Nelsen**, Hauke, Tuczynski, Ladwig, Young, Jackamonis, Andrea, Porter, Menos, Radtke, Harer, Schmidt, Stitt, Shabaz, Knox and Klicka

To committee on Judiciary and Consumer Affairs.

**Senate Bill 618**

Relating to the requirement that applicants for a motor vehicle operator's license or an identification card specify their business address and occupation.

By Senators Engeleiter, Risser, Chilsen and Johnston; cosponsored by Representatives Norquist, Young, Ladwig, Harer, Hopkins, Metz and Luckhardt.

To committee on Aging, Business and Financial Institutions and Transportation.

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COMMITTEE REPORTS

The committee on Senate Organization reports and recommends:

**Assembly Joint Resolution 71**

Granting the use of the legislative chambers on November 7 and 8, 1981, to the 1981 Model Legislature of the Young Republicans.

Concurrence:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Chilsen and Hanaway;

Noes, 0 -- None.

**Assembly Joint Resolution 73**

Relating to proclaiming the week ending October 17, 1981, as 'Domestic Violence Awareness Week'.

Concurrence:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Chilsen and Hanaway;

Noes, 0 -- None.

**Assembly Joint Resolution 76**

Relating to recalling 1981 Senate Bill 368 from the senate for further action.

Concurrence:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Chilsen and Hanaway;

Noes, 0 -- None.

**Assembly Bill 797**

An Act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Attorneys Association for the 1981-83 biennium, covering employes in the professional legal collective bargaining unit, and authorizing an expenditure of funds.

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Concurrence:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Chilsen and Hanaway;

Noes, 0 -- None.

**Assembly Bill 798**

An Act to ratify the agreement negotiated between the state of Wisconsin and the United Professionals for Quality Health Care, Local 1199, AFL-CIO, for the 1981-83 biennium, covering employes in the professional patient care collective bargaining unit, and authorizing an expenditure of funds.

Concurrence:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Chilsen and Hanaway;

Noes, 0 -- None.

**Assembly Bill 799**

An Act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin Federation of Teachers, Local 3271 for the 1981-83 biennium, covering employes in the professional education collective bargaining unit, and authorizing an expenditure of funds.

Concurrence:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Chilsen and Hanaway;

Noes, 0 -- None.

The committee on Energy reports and recommends:

**Senate Joint Resolution 33**

Requesting the legislative council to study the feasibility of public acquisition and operation of certain public utilities.

Introduction and adoption of senate substitute amendment 1:

Ayes, 3 -- Senators Strohl, Berger and Harnisch;

Noes, 1 -- Senator Lorman.

Adoption as amended:

Ayes, 3 -- Senators Strohl, Berger and Harnisch;

Noes, 1 -- Senator Lorman.

**Senate Bill 507**

Relating to rate increases on certain utilities under an automatic adjustment clause.

Introduction and adoption of senate amendment 1:

Ayes, 3 -- Senators Strohl, Berger and Harnisch;

Noes, 1 -- Senator Lorman.

Passage as amended:

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Ayes, 3 -- Senators Strohl, Berger and Harnisch;  
Noes, 1 -- Senator Lorman.

**Senate Bill 508**

Relating to limiting certain activity of former members and division administrators of the public service commission, intervenor financing, utility advertising practices and granting rule-making authority.

Introduction and adoption of senate amendment 1:

Ayes, 3 -- Senators Strohl, Berger and Harnisch;  
Noes, 1 -- Senator Lorman.

Passage as amended:

Ayes, 3 -- Senators Strohl, Berger and Harnisch;  
Noes, 1 -- Senator Lorman.

**Senate Bill 509**

Relating to the rate of return on public utility stock, interim utility rate increases and granting rule-making authority.

Introduction and adoption of senate amendment 1:

Ayes, 3 -- Senators Strohl, Berger and Harnisch;  
Noes, 1 -- Senator Lorman.

Passage as amended:

Ayes, 3 -- Senators Strohl, Berger and Harnisch;  
Noes, 1 -- Senator Lorman.

**Senate Bill 510**

Relating to rate structures of public utilities supplying gas and electricity, telephone service rates and granting rule-making authority.

Introduction and adoption of senate amendment 1:

Ayes, 3 -- Senators Strohl, Berger and Harnisch;  
Noes, 1 -- Senator Lorman.

Passage as amended:

Ayes, 3 -- Senators Strohl, Berger and Harnisch;  
Noes, 1 -- Senator Lorman.

**Senate Bill 511**

Relating to electricity rates, prohibiting public utility charges for construction work in progress, public utility uniform systems of accounts and granting rule-making authority.

Introduction and adoption of senate amendment 1:

Ayes, 3 -- Senators Strohl, Berger and Harnisch;  
Noes, 1 -- Senator Lorman.

Passage as amended:

Ayes, 3 -- Senators Strohl, Berger and Harnisch;

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Noes, 1 -- Senator Lorman.

JOE STROHL  
Chair

The committee on Aging, Business and Financial Institutions and Transportation reports and recommends:

**Senate Bill 407**

Relating to establishing a homeownership mortgage loan program in the department of development, granting rule-making authority and making appropriations.

Introduction and adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell, Engeleiter and Cullen;

Noes, 0 -- None.

Adoption of senate substitute amendment 1 as amended:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell, Engeleiter and Cullen;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell, Engeleiter and Cullen;

Noes, 0 -- None.

TIM CULLEN  
Chair

The committee on State and Local Affairs and Taxation reports and recommends:

**Assembly Bill 15**

Relating to abolishment of the real estate examining board, creation of a real estate board, transfer of functions of the real estate examining board to the real estate board and the department of regulation and licensing and granting rule-making authority.

Concurrence:

Ayes, 5 -- Senators Adelman, Hanaway, Lasee, Moody and Van Sistine;

Noes, 1 -- Senator Berger.

**Assembly Bill 126**

Relating to assembly representation on the Wisconsin housing finance authority.

Concurrence:

Ayes, 5 -- Senators Adelman, Berger, Hanaway, Moody and Van Sistine;

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Noes, 1 -- Senator Lasee.

**Senate Bill 89**

Relating to guaranteed shared revenue account payments for pipeline property.

Passage:

Ayes, 4 -- Senators Adelman, Hanaway, Lasee and Van Sistine;

Noes, 2 -- Senators Berger and Moody.

JAMES P. MOODY

Chair

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PETITIONS AND COMMUNICATIONS

**Senate Petition 16**

A petition by 315 residents of the state of Wisconsin in opposition to any legislation which would further restrict the sale or use of Class "C" fireworks (Senate Bill 300).

By Senator Goyke.

Read and referred to committee on Judiciary and Consumer Affairs.

State of Wisconsin  
Department of State

October 6, 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.*

Buckley, James P., 815 W. College Ave., Waukesha, WI 53186 (414) 542-5333; Barclay's Travelers Check Division, 120 Broadway, New York City, NY 10005 (212) 233-1511; 2; 113.

Thieme, Janice H., 125 W. Doty St., Madison, WI 53703 (608) 255-6789; Wisconsin Motor Carriers Assn., Inc., 125 W. Doty St., Madison, WI 53703 (608) 255-6789; 13, 21, 22, 23; 176, 178.

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**State of Wisconsin  
Secretary of State**

**SUSPENSION ORDER**

Whereas on July 30, 1981, the file in the Office of the Secretary of State of Wisconsin included among others the name of Donald Gittelson as a principal registered under s.13.64, Wis. Stats.;

Whereas, s.13.68, Wis. Stats. requires said principal to file an expense statement with the Secretary of State on or before July 30, 1981, and whereas said principal failed to file such statement by said date:

Whereas, on August 12, 1981, under s. 13.63(2), Wis. Stats. the Secretary of State mailed to said principal a notice advising of Donald Gittelson's failure to make such required expense statement filing and further advising that unless such statement was filed with the Secretary of State on or before August 24, 1981, the privileges of Paul E. Sicula to lobby on behalf of Donald Gittelson would be suspended as of September 3, 1981;

Whereas, on October 2, 1981, a letter was sent to Donald Gittelson and to Paul E. Sicula advising that unless said expense statement was received by or before 4:00 P.M. on October 5, 1981, such suspension of Paul E. Sicula would be effective as of October 5, 1981; and

Whereas, of 4:00 P.M., October 5, 1981, said principal has still failed to file such an expense statement with the Secretary of State; now, therefore,

I, VEL PHILLIPS, as Secretary of State under the authority granted to me by s.13.63(2), Wis. Stats. do hereby suspend the privilege of Paul E. Sicula to lobby on behalf of Donald Gittelson. Said suspension takes effect at 4:00 P.M. on October 5, 1981 and remains in effect until such time as Donald Gittelson files with the Secretary of State a complete expense statement required under s.13.68, Wis. Stats.

If Donald Gittelson and/or Paul Sicula may be aggrieved by the above suspension, hearing under s.227.064, Wis. Stats., may be requested by either party.

Dated at Madison, Wisconsin, this 5th day of October, 1981.

**VEL PHILLIPS**  
Secretary of State

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State of Wisconsin  
Secretary of State

SUSPENSION ORDER

Whereas on July 30, 1981, the file in the Office of the Secretary of State of Wisconsin included among others the name of United Council of University of Wisconsin Student Governments as a principal registered under s.13.64, Wis. Stats.;

Whereas, s.13.68, Wis. Stats. requires said principal to file an expense statement with the Secretary of State on or before July 30, 1981, and whereas said principal failed to file such statement by said date:

Whereas, on August 14, 1981, under s. 13.63(2), Wis. Stats. the Secretary of State mailed to said principal a notice advising of United Council of University of Wisconsin Student Government's failure to make such required expense statement filing and further ad such statement was filed with the Secretary of State on or before August 25, 1981, the privileges of Julie Fleming Huck and Mark Hazelbaker to lobby on behalf of United Council of University of Wisconsin Student Government would be suspended as of September 4, 1981;

Whereas, on October 2, 1981, a letters were sent to Michael Chapman, Administrative Director, United Council of University of Wisconsin Student Governments and to Julie Fleming Huck and Mark Hazelbaker, lobbyists for the organization, advising that unless said expense statement was received by or before 4:00 P.M. on October 5, 1981, such suspension of Julie Fleming Huck and Mark Hazelbaker would be effective as of October 5, 1981; and

Whereas, of 4:00 P.M., October 5, 1981, said principal has still failed to file such an expense statement with the Secretary of State; now, therefore,

I, VEL PHILLIPS, as Secretary of State under the authority granted to me by s.13.63(2), Wis. Stats. do hereby suspend the privilege of Julie Fleming Huck and Mark Hazelbaker to lobby on behalf of United Council of University of Wisconsin Student Governments. Said suspension takes effect at 4:00 P.M. on October 5, 1981 and remains in effect until such time as United Council of University of Wisconsin Student Governments files with the Secretary of State a complete expense statement required under s.13.68, Wis. Stats.

If United Council of University of Wisconsin Student Government and/or Julie Fleming Huck and/or Mark Hazelbaker may be aggrieved by the above suspension, hearing under s.227.064, Wis. Stats., may be requested by either party.

Dated at Madison, Wisconsin, this 5th day of October, 1981.

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VEL PHILLIPS  
Secretary of State

State of Wisconsin  
Secretary of State

ORDER

Whereas on October 6, 1981, under the authority of s. 13.63(2), Wis. Stats., I issued an order suspending the privilege of Paul E. Sicula to lobby on behalf of such lobbyists' principal, Mr. Donald Gittelson, for the reason that such principal had failed to file an expense statement required under s. 13.68, Wis. Stats.; and

Whereas such principal has now filed such expense statement; now, therefore,

I, Vel Phillips, as Secretary of State of Wisconsin, under the authority of s. 13.63(2), Wis. Stats. do hereby restore unto said Paul E. Sicula the privilege of lobbying on behalf of Mr. Donald Gittelson, as principal, in accordance with the provisions of Subchapter III of Chapter 13 of the Wisconsin Statutes.

Dated this 9th day of October, 1981.

VEL PHILLIPS  
Secretary of State

State of Wisconsin  
Secretary of State

ORDER

Whereas on October 6, 1981, under the authority of s. 13.63(2), Wis. Stats., I issued an order suspending the privilege of Mark Hazelbaker and Julie Fleming Huck to lobby on behalf of such lobbyists' principal, The United Council of University of Wisconsin Student Governments, for the reason that such principal had failed to file an expense statement required under s. 13.68, Wis. Stats.; and

Whereas such principal has now filed such expense statement; now, therefore,

I, Vel Phillips, as Secretary of State of Wisconsin, under the authority of s. 13.63(2), Wis. Stats. do hereby restore unto said Mark Hazelbaker and Julie Fleming Huck the privilege of lobbying on behalf of the United Council of University of Wisconsin Student Governments, as principal, in accordance with the provisions of Subchapter III of Chapter 13 of the Wisconsin Statutes.

Dated this 6th day of October, 1981.

VEL PHILLIPS  
Secretary of State

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State of Wisconsin  
Department of Industry, Labor and Human Relations

October 15, 1981

To the Honorable the Senate:

In accordance with s. 15.04(4) of the Wisconsin Statutes, I present this report on the activities of the Department of Industry, Labor and Human Relations for the biennium which ended June 30, 1981. This report covers the time when Joseph N. Noll was secretary of the agency. The accomplishments made during this time can rightfully be credited to his administration.

As I did not assume office until August 31, I would like to take this opportunity to take a look forward to the 1981-83 biennium.

Perhaps no other state agency is as affected by the state of the economy as is DILHR. When people lose their jobs, they come to us both for unemployment compensation and for help in finding a new job. When the economy is sluggish, fewer employers are willing or able to hire and train new apprentices. The tight money supply results in a decrease in building plans submitted for review.

And the state and federal budget cuts enacted this year mean that our agency work force, primarily in the Job Service Division, has to decline.

Like all other state agencies, we are faced with maintaining or even increasing our services with fewer resources.

To help us in this biennium, I have brought in several new people for the management team, people whose prior experience in state government will be an asset to me and to the agency. I also am making some internal reorganization of functions and a redirection of resources aimed at improving the operation of DILHR.

These next two years present a challenge to all of us in government. We must find ways to do more with less. Our goal at DILHR is to meet that challenge and to continue and improve our programs and services for the people of Wisconsin.

Sincerely

LOWELL B. JACKSON, P.E.

Secretary

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State of Wisconsin  
Claims Board

October 9, 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 September 21, 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 September 21, 1981, upon the following claims:

Claimant	Amount
Joseph Bonness, Inc.	\$29,398.05
Peterson-Latzig Co., Inc.	10,210.90
Icke Construction, Inc.	22,701.46
Orwin Atwood	10,000.00
Arthur Foth	9,158.25

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

Patricia Messner	\$326.51
Gary Grueter	50.00

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Ramona Harris	48.00
David Egener	30.00
Larry Thompson	28.00
Clement Bowe	50.00
Rose Mayer	50.50
Janet Kreutzer	2,297.50
George Friend	150.00
Robert Ablondi	385.10
Anne Brady	100.00
Laurence Gracey	129.56
Darryl Schrader	952.20
Patricia Hillestad	22.64
Herman Pearson	12.49
Head of the Lakes Electric Coop	3,852.69
Michael Gonia	14.30
Estate of Mabel Diesel	4,261.42
Diane Severson	125.00
Sylvia Sobanski	229.99
Laurie Wagner	12.00

THE BOARD FINDS:

1. Joseph Bonness, Inc., of Waukesha claims \$29,398.05 for recovery of increased costs incurred in the construction of four bridges in Manitowoc County under a contract with the Department of Transportation. Claimant's contract had a completion date of November 30, 1978. In order to construct the bridges, it was necessary for grading operations, including abutment fills, to be performed by another contractor. The grading contract had a completion date of July, 1979, which contract was underway at the time claimant's bid was submitted. On November 22, 1978, due to extremely wet weather conditions, it was not possible for the grading contractor to proceed; therefore, work on the project was suspended. Claimant notified the Department of Transportation of the problem regarding abutment fills. Claimant alleged that because the grading operations were not completed, they were unable to start work on two of the bridges until eight months after the required completion date of their contract. In February, 1979, a change order was issued by the Department of Transportation extending claimant's contract time 108 calendar days. Claimant alleges that because of the delays encountered, they incurred damages resulting from increases in wage scales as required by the contract, material and fuel increases and ongoing costs. The board finds that claimant was aware that its construction operations were dependent upon the fills being in place at the abutment sites, according to the Proposal Requirements and

Conditions which were part of claimant's bid and contract. The Board concludes that 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. Peterson-Latzig Company, Inc., of Merrill claims \$10,210.90 for deer damage to its Christmas tree plantation during the fall of 1980, and the spring of 1981. Section 29.595, Stats., previously authorized the Department of Natural Resources to pay damages caused by deer 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 that 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 that claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

3. Icke Construction, Inc., of Madison claims \$22,701.46 for damages to its pole-type garage building located at 115 Gerry Court, Madison, while being rented by the University of Wisconsin. On January 24, 1979, the roof of the building collapsed. Claimant alleges the damage to the building resulted from the University's negligence in loading and pushing sand, which was being stored in the building by the University, against the walls, eventually causing the trusses to become detached from the side columns which subsequently caused the roof to collapse.

The University of Wisconsin alleges that the roof collapse of the building was caused by excessive accumulation of snow and ice thereon, and denies any negligence. The Board finds there has been no conclusive evidence showing that the damage was caused by negligence on the part of the University of Wisconsin. 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. (Member Main not participating).

4. Orwin Atwood of Madison claims \$10,000.00 for pain and suffering, and permanent disability as a result of injuries he sustained on October 11, 1977, while a passenger in a vehicle owned by the Department of Health and Social Services and operated by an employe of that department. Claimant, a patient at the Mendota Mental Health Institute, along with other residents, was returning from a sightseeing trip to Horicon Marsh. The right wheels of the vehicle left the blacktop portion of the road and were on the gravel shoulder when the driver, attempting to get the vehicle back on the road, lost control and the vehicle rolled over twice. Claimant

incurred medical and hospital expenses in the amount of \$1,497.20 which amount was paid by the Mendota Mental Health Institute. As a matter of policy, this Board does not award claims for general damages relating to pain and suffering. The Board concludes that this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

5. Arthur Foth of Port Edwards claims \$9,158.25 for damages he incurred on April 7, 1979, when an inmate from the Waupun Correctional Institution broke into his home, destroying and stealing property including a 1978 van. The involved inmate was participating in a weight lifting tournament he had been authorized to attend by the warden, at the Port Edwards YMCA. The inmate ran out of a door at the YMCA and outran the accompanying guard who gave chase. Local law enforcement officers were immediately notified. In an attempt to run a roadblock in the stolen van, the inmate drove claimant's van off the road, overturning it into a creek, causing total loss of the vehicle and loss of a C.B. radio inside the vehicle. The Board finds that it is highly improbable that this incident could have occurred without negligence on the part of the Department of Health and Social Services. Therefore, the Board concludes that the state should in good conscience assume and pay this claim in the reduced amount of \$1,000.00. The Board further concludes that under the authority of s. 16.007(6m), Stats., payment of this claim shall be made from the Department of Health and Social Services appropriation s. 20.435(3)(a), Stats.

6. Patricia Messner of Milwaukee claims \$326.51 for damages to the hatchback window of her automobile on May 5, 1981, while it was parked in the Milwaukee Probation and Parole office parking lot, where she is employed. When claimant returned to her car, she found the window smashed. The Board finds that there is no evidence of how the incident actually occurred. Claimant was fully reimbursed for the damages by her insurance company and is seeking payment on the company's behalf. Consistent with a long-standing policy of this Board not to award payment of 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.

7. Gary Grueter of Fond du Lac claims \$50.00 as the replacement cost of his prescription eyeglasses allegedly stolen on May 7, 1981, from his desk in a classroom at the Waupun Correctional Institute, where he is employed. 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.

8. Ramona Harris of Milwaukee claims \$48.00 for the loss of money and bus tickets on April 21, 1981, allegedly stolen from her purse at the Milwaukee Job Service office, where she is employed. While on the phone assisting clients who were seeking employment, claimant's wallet was removed from her purse. The wallet was later recovered without the \$43 in cash and \$5 in bus tickets. 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. David Egner of Madison claims \$30.00 as the replacement cost for two pairs of pants which were damaged by a wire that worked its way through his desk chair at the Department of Health and Social Services, Division of Management Services during the weeks of March 2-13, 1981. Claimant should have had knowledge of the defect after the first pair of pants had been damaged and the Board concludes that, based on equitable principles, the claimant should receive \$15 in full settlement of this claim. The Board further concludes that under the authority of s. 16.007(6m), Stats., payment of this claim shall be made from the Department of Health and Social Services appropriation s. 20.435(8)(a), Stats. (Member Wilker not participating).

10. Larry Thompson of Oshkosh claims \$28.00 as the replacement cost of his necklace which was damaged by a patient at the Winnebago Mental Institute where claimant is employed as an aide. On May 7, 1981, while claimant was brushing a patient's teeth, the patient unexpectedly reached out and grabbed claimant's necklace, breaking it. The Institute's Nursing Service Uniform Policy states, in part: "...necklaces are not recommended and if worn, will not be the responsibility of the hospital." 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.

11. Clement Bowe of Chippewa Falls claims \$50.00 for damages to his eyeglasses which occurred on April 26, 1981, while he was working in a Food Service Kitchen for the Department of Health and Social Services. Claimant was unloading pans from a food cart and in an attempt to pull out a jammed pan, a whole rack pulled free, hitting claimant's left eyeglass lens. The Board concludes there has been no 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.

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12. Rose Mayer of Marshfield claims \$50.50 for the loss of a package she had sent by mail on December 16, 1980, to a resident at the Southern Wisconsin Center. The package was delivered to the institution as indicated by a mail receipt card; however, the package was subsequently lost and was never received by the resident. The Department of Health and Social Services indicates that some items delivered to the institution during the Christmas rush were lost or damaged due to the large volume of mail received. The Board concludes this claim should be paid based on equitable principles. The Board further concludes that under the authority of s. 16.007(6m), Stats., payment of the claim shall be made from the Department of Health and Social Services appropriation s. 20.435(2)(gk), Stats.

13. Janet Kreutzer of Wisconsin Rapids claims \$297.50 for medical expenses, and \$2,000.00 for pain and suffering as the result of injuries she sustained on January 12, 1977, when she fell at the entrance of the Lincoln Hills School. Claimant was visiting her grandson at the institution. After stepping around a vehicle parked outside the school entrance, claimant slipped and fell, hitting her head on the rear bumper of the vehicle and injuring her right shoulder, hip, and tailbone. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents, or employes, and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

14. George Friend of Waupun claims \$150.00 as the replacement cost of a 19-inch black and white television set which was destroyed in his cell at the Waupun State Prison, where he is an inmate. On February 16, 1981, while claimant was out of his cell, the toilet backed up, damaging his television set. The Board concludes that this claim in the reduced amount of \$80.00 should be paid, based on equitable principles. The Board further concludes that under the authority of s. 16.007(6m), Stats., payment of this claim shall be made from the Department of Health and Social Services appropriation s. 20.435(3)(a), Stats.

15. Robert Ablondi of Jackson, Wyoming, claims \$329.95 for reimbursement of a camera and lens, \$22.50 for a camera case, \$9.15 for a filter and \$23.50 in sales taxes for a total claim of \$385.10. Claimant alleges his camera and equipment which he left in a classroom during the lunch hour while attending a program at the University of Wisconsin Extension Wisconsin Center Building, were stolen on December 11, 1980. Claimant has received partial reimbursement from his insurance company in the amount of \$245.00. The Board concludes that this claim in the reduced amount

of \$100.00 should be paid, based on equitable principles. The Board further concludes that under the authority of s. 16.007(6m), Stats., payment of this claim shall be made from the University of Wisconsin appropriation s. 20.285(1)(a), Stats.

16. Anne Brady of Rochester, Minnesota, claims \$100.00 as the replacement damage for two skirts which were allegedly damaged in March and April, 1981, by a leaking pen supplied to her by the University of Wisconsin-Milwaukee, where she was employed. The Board concludes there has been no 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. Laurence Gracey of Appleton claims \$129.56 for damages to his automobile windshield on April 15, 1981. The windshield was broken by a baseball while the automobile was parked near a baseball diamond at lot 13 on the University of Wisconsin-Oshkosh campus. Claimant received partial reimbursement for the loss from his insurance company. The Board concludes there has been no 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. Darryl Schrader of Chicago, Illinois, claims \$112.20 for uninsured medical expenses, and \$480.00 for lost wages as a result of an injury he sustained at the University of Wisconsin Extension on March 16, 1981. Claimant was attending a conference at the Extension and he tripped on a metal carpet strip while hurrying to catch an elevator. Inspection of the premises by the University indicated that the carpet and metal strip were in excellent condition. The Board concludes there has been no 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. Patricia Hillestad of Lodi claims \$22.64 for damages to her skirt on June 23, 1981, when it got caught on a sharp edge of a desk which was apparently being stored in the hallway of the State Capitol building outside of Room 40 North, where claimant is employed. It appears that the damage to claimant's skirt resulted from her failure to use due care and was not caused by any negligence on the part of the state, its officers, agents, or employes. 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.

20. Herman Pearson of Madison claims \$12.49 as the replacement cost of a pair of pants which were damaged by a broken spring that had worked its way through a chair he was using in the

Senate Journal and Records Office, Room 140 South, State Capitol, on March 30, 1981. The Board concludes that this claim should be paid, based on equitable principles. The Board further concludes that under the authority of s. 16.007(6m), Stat., payment of this claim shall be made from the State Senate appropriation s. 20.765(1)(a), Stats.

21. Head of the Lakes Electric Cooperative of Superior claims \$3,852.69 as the amount of electric services they provided to the Department of Natural Resources Ernest Swift Youth Camp near Minong, Wisconsin, during the years 1971-1979. A billing error resulted in charging the Department of Natural Resources for only one quarter of the electricity actually used. Apparently, a multiplier of four had to be applied to the meter reading to determine the actual amount of usage. The Board recommends that this claim should be paid in the reduced amount of \$2,500 based on equitable principles. The Board further recommends that under the authority of s. 16.007(6m), Stats., payment of this claim shall be made from the Department of Natural Resources appropriation s. 20.370(4)(hb), Stats.

22. Michael Gonia of Hales Corners claims \$14.30 for the replacement cost of a thermos and the cost of dry cleaning a pair of suede gloves. On February 6, 1981, while walking on the sidewalk to the Department of Transportation office building in Waukesha from the parking area, claimant slipped and fell on some ice, soiling his gloves and breaking his thermos. Salt had been spread on the steps to the building; however, on the sloping area immediately before the steps, there was partially frozen water. The Board concludes that this claim should be paid, based on equitable principles. The Board further concludes that under the authority of s. 16.007(6m), Stats., payment of this claim shall be made from the Department of Transportation appropriation s. 20.395(9)(qh), Stats.

23. Warren J. Klaus, Personal Representative for the Estate of Mabel Diesel claims \$4,261.42 as the refund for an overpayment of Wisconsin Inheritance taxes. Inheritance tax was paid on the estate in the amount of \$40,032.30. It was subsequently discovered that the asset valuation was overstated in the amount of \$32,200.55. The error in over-reporting asset valuation resulted in an overpayment of inheritance taxes in the amount of \$4,261.42. The Department of Revenue indicates that, had a timely application for refund of excessive inheritance taxes been made, the refund required would have been granted by that department. The Board concludes that this claim should be paid, based on equitable principles.

24. Diane Severson of Oak Creek claims \$100.00 as the uninsured portion for her coat which was stolen from the Milwaukee

Auditorium on May 7, 1981, while claimant was working as a proctor for the Department of Regulation and Licensing during a state CPS examination. The department requires that proctors place their belongings in a certain area during the examinations, so they are not accessible by candidates or proctors. Claimant has \$100.00 deductible insurance and, therefore, will receive only \$29 for the loss through her insurance. The Board concludes that this claim should be paid in the reduced amount of \$75.00, based on equitable principles. The Board further concludes that under the authority of s. 16.007(6m), Stats., payment of this claim shall be made from the Department of Regulation and Licensing appropriation s. 20.165(2)(g), Stats.

25. Sylvia Sobanski of South Milwaukee claims \$229.00 for the loss of her coat which was stolen from the Milwaukee Auditorium on May 7, 1981, while claimant was working as a proctor for the Department of Regulation and Licensing during a state CPS examination. The department requires that proctors place their belongings in a certain area during the examinations, so they are not accessible by candidates or proctors. Claimant has \$100.00 deductible insurance and indicates that she will receive \$107.00 from her insurance company for the loss. The Board concludes that this claim should be paid in the reduced amount of \$75.00, based on equitable principles. The Board further concludes that under the authority of s. 16.007(6m), Stats., payment of this claim shall be made from the Department of Regulation and Licensing appropriation s. 20.165(2)(g), Stats.

26. Laurie Wagner of Oak Creek claims \$12.00 for the loss of her tote bag and four magazines which were stolen from the Milwaukee Auditorium on May 7, 1981, while claimant was working as a proctor for the Department of Regulation and Licensing during a state CPS examination. The department requires that proctors place their belongings in a certain area during the examination, so they are not accessible by candidates or proctors. The Board concludes that this claim should be paid in the reduced amount of \$8.00, based on equitable principles. The Board further concludes that under the authority of s. 16.007(6m), Stats., payment of this claim shall be made from the Department of Regulation and Licensing appropriation s. 20.165(2)(g), Stats.

THE BOARD CONCLUDES:

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

Joseph Bonness, Inc.  
Peterson-Latzig Co., Inc.

Larry Thompson  
Clement Bowe

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<b>Icke Construction, Inc.</b>	<b>Janet Kreutzer</b>
<b>Orwin Atwood</b>	<b>Anne Brady</b>
<b>Patricia Messner</b>	<b>Laurence Gracey</b>
<b>Gary Grueter</b>	<b>Darryl Schrader</b>
<b>Ramona Harris</b>	<b>Patricia Hillestad</b>

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

<b>Arthur Foth</b>	<b>\$1,000.00</b>
<b>David Egner</b>	<b>15.00</b>
<b>Rose Mayer</b>	<b>50.50</b>
<b>George Friend</b>	<b>80.00</b>
<b>Robert Ablondi</b>	<b>100.00</b>
<b>Herman Pearson</b>	<b>12.49</b>
<b>Michael Gonia</b>	<b>14.30</b>
<b>Estate of Mabel Diesel</b>	<b>4,261.42</b>
<b>Diane Severson</b>	<b>75.00</b>
<b>Sylvia Sobanski</b>	<b>75.00</b>
<b>Laurie Wagner</b>	<b>8.00</b>

**THE BOARD RECOMMENDS:**

Payment of \$2,500.00 be made to Head of the Lakes Electric Cooperative as the result of a billing error in electricity usage charges at the Department of Natural Resources Ernest Swift Youth Camp near Minong, Wisconsin, during the years 1973-79.

Dated at Madison, Wisconsin this 8th day of October, 1981.

**GERALD D. KLECZKA**  
Senate Finance Committee

**LAURIE ANN McCALLUM**  
Representative of Governor

**EDWARD D. MAIN**  
Representative of Secretary of  
Administration

**WILLIAM H. WILKER**  
Representative of Attorney  
General

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State of Wisconsin  
Legislative Reference Bureau

October 8, 1981

To the Honorable the Senate:

We have just learned of an error in addition -- involving 45 persons in the city of Milwaukee -- which appears to have been in the statistical analysis for 1981 Assembly Bill 616 since that bill was introduced and which, unfortunately, now continues into that bill's printed enrolled version.

For the 2 districts, the corrected totals are as follows:

- CD-4 - 522,707 - minus 108 - minus .02%
- CD-5 - 523,089 - plus 274 - plus .05%

As a consequence, for the summary of the 9 districts, the total misrepresentation should now read "plus/minus 1,168", the average absolute deviation should read "plus/minus 130", and the relative average deviation should be shown as "plus/minus .02%".

The rules do not authorize us to publish a correction notice when the error is found only in the analysis. However, because the validity of redistricting acts hinges on equal population numbers, there should be a public record of this correction. We would appreciate it if you could insert a notice in the Senate Journal.

Sincerely yours  
DR. H. RUPERT THEOBALD  
Chief

Senator Flynn in the chair.

10:15 A.M.

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CALENDAR OF OCTOBER 13

ANDERSON, PAMELA, of Madison, as a member of the Labor and Industry Review Commission, to succeed LaVerne Aussman, to serve out Mr. Aussman's unexpired term which will expire on March 1, 1985.

Read.

The question was: Shall the appointment be confirmed?

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

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Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- Senator Roshell -- 1.

So the appointment was confirmed.

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SENATE CLEARINGHOUSE ORDERS

**Clearinghouse Rule 81-62**

AN ORDER to repeal NR 154.11 (2) (b) 1; to renumber NR 154.11 (2) (b) 2 to 4; to renumber and amend NR 154.11 (2) (c); and to create NR 154.11 (2) (c), relating to air emissions of particulate matter in or near nonattainment areas for total suspended particulate matter.

Submitted by Department of Natural Resources.

Report received from agency, October 8, 1981.

Referred to committee on Agriculture and Natural Resources, October 13, 1981.

**Clearinghouse Rule 81-97**

AN ORDER to amend A-E 1.17, relating to experience requirements for applicants for registration as professional engineers.

Submitted by Department of Regulation and Licensing.

Report received from agency, October 9, 1981.

Referred to committee on State and Local Affairs and Taxation, October 13, 1981.

**Clearinghouse Rule 81-164**

AN ORDER to amend Ins 16.01 (1), (2), (3) (b), (4) (a) and (b), (5) and (8); and to create Ins 16.01 (3) (c), relating to annual billing for the examination of domestic insurers.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, October 12, 1981.

Referred to committee on Insurance and Utilities, October 13, 1981.

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The committee on Human Services reports and recommends:

**Clearinghouse Rule 81-123**

AN ORDER to repeal ch. H 70, relating to sanitary care of schools.

No action taken.

CARL W. THOMPSON

Chair

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CALENDAR OF OCTOBER 13

**Senate Joint Resolution 30**

Relating to directing the legislative council to study the investment policies of the state of Wisconsin investment board and the desirability of adopting alternative investment objectives.

Read.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Shall the joint resolution be adopted?

Adopted.

**Senate Bill 80**

Relating to regulating smoking in public conveyances and specified places and providing a penalty.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Berger moved that the bill be referred to committee on Aging, Business and Financial Institutions and Transportation.

The question was: Shall **Senate Bill 80** be referred to committee on Aging, Business and Financial Institutions and Transportation?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 21; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Goyke, Kreul, Krueger, Maurer, Opitz, Roshell and Van Sistine -- 12.

Noes -- Senators Adelman, Braun, Engeleiter, Flynn, Frank, George, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Lasee, Lorge, Lorman, McCallum, Moody, Offner, Risser, Strohl, Theno and Thompson -- 21.

Absent or not voting -- None.

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So the motion did not prevail.

Senate amendment 4 offered by Senators Lorman, Roshell and Opitz.

Senate amendment 5 offered by Senator McCallum.

Senate amendment 6 offered by Senators Engeleiter and Risser.

Senate substitute amendment 1 offered by Senator Bablitch.

The question was: Adoption of senate substitute amendment 1?

Senator Risser moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 19; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Braun, Chilsen, George, Harsdorf, Johnston, Kleczka, Lorge, Lorman, McCallum, Moody, Risser, Strohl and Theno -- 14.

Noes -- Senators Bablitch, Berger, Bidwell, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Harnisch, Kreul, Krueger, Lasee, Maurer, Offner, Opitz, Roshell, Thompson and Van Sistine -- 19.

Absent or not voting -- None.

So the motion did not prevail.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Braun.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Senator Bablitch moved rejection of senate amendment 1 to senate substitute amendment 1.

The question was: Rejection of senate amendment 1 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Engeleiter, Frank, Goyke, Hanaway, Harnisch, Harsdorf, Kreul, Krueger, Lasee, Offner, Opitz, Roshell and Van Sistine -- 16.

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Noes -- Senators Adelman, Braun, Chilsen, Cullen, Flynn, George, Johnston, Kleczka, Lorge, Lorman, McCallum, Maurer, Moody, Risser, Strohl, Theno and Thompson -- 17.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Adopted.

Senate amendment 2 to senate substitute amendment 1 offered by Senator Kleczka.

The question was: Adoption of senate amendment 2 to senate substitute amendment 1?

Adopted.

Senate amendment 3 to senate substitute amendment 1 offered by Senators Engeleiter and Thompson.

The question was: Adoption of senate amendment 3 to senate substitute amendment 1?

Adopted.

Senate amendment 4 to senate substitute amendment 1 offered by Senator Risser.

The question was: Adoption of senate amendment 4 to senate substitute amendment 1?

Senator Bablitch moved rejection of senate amendment 4 to senate substitute amendment 1.

The question was: Rejection of senate amendment 4 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Cullen, Frank, Goyke, Harnisch, Kreul, Krueger, Maurer, Offner, Opitz, Roshell, Thompson and Van Sistine -- 15.

Noes -- Senators Adelman, Braun, Chilsen, Engeleiter, Flynn, George, Hanaway, Harsdorf, Johnston, Kleczka, Lasee, Lorge, Lorman, McCallum, Moody, Risser, Strohl and Theno -- 18.

Absent or not voting -- None.

So the motion did not prevail.

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The question was: Adoption of senate amendment 4 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Braun, Chilsen, Engeleiter, Flynn, George, Hanaway, Harsdorf, Johnston, Kleczka, Lorge, Lorman, McCallum, Maurer, Moody, Risser, Strohl and Theno -- 18.

Noes -- Senators Bablitch, Berger, Bidwell, Cullen, Frank, Goyke, Harnisch, Kreul, Krueger, Lasee, Offner, Opitz, Roshell and Van Sistine -- 14.

Absent or not voting -- Senator Thompson -- 1.

So the amendment was adopted.

The question was: Adoption of senate substitute amendment 1?  
Adopted.

Ordered to a third reading.

By request of Senator Bablitch, with unanimous consent, the bill was considered for final action at this time.

**Senate Bill 80**

Read a third time.

Senator Berger moved that the bill be referred to committee on Aging, Business and Financial Institutions and Transportation.

The question was: Shall **Senate Bill 80** be referred to committee on Aging, Business and Financial Institutions and Transportation?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Goyke, Kreul, Krueger, Lasee, Maurer, Offner, Opitz, Roshell, Thompson and Van Sistine -- 15.

Noes -- Senators Adelman, Braun, Engeleiter, Flynn, Frank, George, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Lorge, Lorman, McCallum, Moody, Risser, Strohl and Theno -- 18.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Passage?

The ayes and noes were required and the vote was: ayes, 24; noes, 9; absent or not voting, 0; as follows:

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Ayes -- Senators Adelman, Bablitch, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Risser, Strohl, Theno and Thompson -- 24.

Noes -- Senators Berger, Bidwell, Goyke, Kreul, Krueger, Offner, Opitz, Roshell and Van Sistine -- 9.

Absent or not voting -- None.

So the bill passed.

**Senate Bill 174**

Relating to the weight per axle or axles of a vehicle equipped with a selfcompactor and transporting garbage or refuse.

Read a second time.

By request of Senator Kleczka, with unanimous consent, the bill was referred to joint committee on Finance.

**Senate Bill 216**

Relating to reports to law enforcement officials concerning certain injuries and providing a penalty.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senators Kreul and Harsdorf.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Senator Frank moved rejection of senate amendment 1 to senate substitute amendment 1.

The question was: Rejection of senate amendment 1 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Chilsen, Flynn, Frank, Hanaway, Harnisch, Johnston, Kleczka, McCallum, Maurer, Moody, Offner, Roshell, Strohl, Theno and Van Sistine -- 18.

Noes -- Senators Berger, Bidwell, Cullen, Engeleiter, George, Goyke, Harsdorf, Kreul, Krueger, Lasee, Lorge, Lorman, Opitz, Risser and Thompson -- 15.

Absent or not voting -- None.

So the motion prevailed.

Ordered to a third reading.

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By request of Senator Bablitch, with unanimous consent, the bill was considered for final action at this time.

### **Senate Bill 216**

Read a third time and passed.

### **Senate Bill 373**

Relating to emergency rules to allow farm vehicles to exceed weight limitations and granting rule-making authority.

Read a second time.

By request of Senator Berger, with unanimous consent, the bill was referred to joint committee for Review of Administrative Rules.

### **Senate Bill 520**

Relating to modifications of the standard nonforfeiture and valuation requirements for life insurance and annuity contracts and granting rule-making authority.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 2?

Adopted.

Ordered to a third reading.

By request of Senator Bablitch, with unanimous consent, the bill was considered for final action at this time.

### **Senate Bill 520**

Read a third time and passed.

### **Assembly Joint Resolution 8**

Directing the legislative council to study the problem of battery to the elderly and to report recommended solutions to the legislature.

Read.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Concurrence of the joint resolution?

Concurred in as amended.

### **Assembly Joint Resolution 61**

Relating to the increase in sign vandalism on Wisconsin roads and streets.

Read.

The question was: Adoption of senate amendment 1?

Adopted.

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Senate amendment 2 offered by Senator Cullen.

The question was: Adoption of senate amendment 2?

Adopted.

The question was: Concurrence of the joint resolution?

Concurred in as amended.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 270** was laid on the table.

By request of Senator Bablitch, with unanimous consent, all action was ordered immediately messaged.

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MOTIONS

By request of Senator Berger, with unanimous consent, **Senate Bill 373** was withdrawn from joint committee for Review of Administrative Rules and referred to committee on Aging, Business and Financial Institutions and Transportation.

Senator Adelman asked unanimous consent that the motion for reconsideration of the vote by which **Senate Bill 163** passed be taken from the table.

Senator Berger objected.

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AMENDMENTS OFFERED

Senate substitute amendment 1 to **Assembly Bill 616** by Senators Chilsen, Lasee, Lorge, Harsdorf, Bidwell, Theno, Lorman, Hanaway, Johnston, Kreul, McCallum, Engeleiter and Krueger.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Thursday, October 15.

1:12 P.M.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 93**

1. Page 5, line 6: substitute "632.895" for "632.91", in order to reflect the correct renumbered statute.

**Assembly Bill 616**, assembly amendment 4 to assembly substitute amendment 1

In engrossing Assembly Bill 616, the following correction was made in assembly amendment 4 to assembly substitute amendment 1 to conform page 3, lines 13 and 15, to page 1, line 3, of the amendment and to the maps and statistics published with the amendment:

1. On page 3, line 13, after "Merton" insert ", Mukwonago".
2. On page 3, line 15, insert "Mukwonago," before "Nashotah," and insert "North Prairie," thereafter.