

STATE OF WISCONSIN

Senate Journal

Eighty-Sixth Regular Session

TUESDAY, October 4, 1983

10:00 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

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

Present -- Senators Adelman, Chilsen, Cullen, Czarnetzki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

On the occasion of the 150th anniversary of the Sisters of Charity of the Blessed Virgin Mary, the prayer this morning will be offered by Sister Mary Adele Henneberry, BVM, Executive Director of Interfaith Program for the Elderly, Milwaukee.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 41

Memorializing congress to enact a human life amendment.

By Senator Lorge.

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

Senate Joint Resolution 42

Relating to commemorating the 500th anniversary of the birth of Martin Luther.

By Senators Otte, Lee, Risser, Kincaid and Engeleiter; cosponsored by Representatives Potter, Rude, R. Thompson, M. Coggs, Wineke, Neubauer, Shoemaker, Stower, Smith, Stewart, Manske, Ulichny and Plewa.

Read and referred to committee on Senate Organization.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 431

Relating to regulation of continuing care contracts, granting rule-making authority, making an appropriation and providing a penalty.

By Senators Adelman and Czarnetzki; cosponsored by Representatives Moyer, Bell and Plous.

To committee on Judiciary and Consumer Affairs.

Senate Bill 432

Relating to intestate succession.

By Senators Lorman, Hanaway, Roshell, McCallum and Johnston; cosponsored by Representatives Wineke, Schneiders, Prosser, Panzer, Huelsman and Goetsch.

To committee on Judiciary and Consumer Affairs.

Senate Bill 433

Relating to the inheritance tax exemption for transfers to class A distributees.

By Senators Lorman, Engeleiter, Hanaway, Lasee, Theno, Davis and Johnston; cosponsored by Goetsch, Stewart, Buettner, Matty, Panzer, Huelsman and Wineke.

To Joint Survey committee on Tax Exemptions.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends for introduction:

Senate Resolution 12

Relating to further consideration of matters pending in the senate.

Introduction:

Ayes, 5 -- Senators Cullen, Risser, Offner, Harsdorf and Engeleiter;

Noes, 0 -- None.

TIMOTHY F. CULLEN  
Chair

Read and referred to committee on Senate Organization.

The committee on Aging, Financial Institutions and State Institutions reports and recommends for introduction:

**Senate Bill 434**

Relating to state chartered savings and loan associations, fees for finding loans and granting rule-making authority.

By request of Commissioner of Savings and Loan.

Introduction:

Ayes, 5 -- Senators Feingold, Thompson, Czarnezki, Engeleiter and Lorman;

Noes, 0 -- None.

**RUSS FEINGOLD**  
Chair

Read first time and referred to committee on Aging, Financial Institutions and State Institutions.

**REPORT OF JOINT SURVEY COMMITTEE ON DEBT MANAGEMENT**

Appendix to Senate Bill 395

Public Policy Involved

The proposal is desirable as a matter of public policy. Governor Anthony S. Earl recommended, in his Report on State Debt, issued in February 1983, that:

"To avoid saturating the bond market with Wisconsin general obligation bonds and to maintain Wisconsin's favorable position in the market, the Governor's policy for improved debt management in 1983-85 is to place a limit of \$300 million on the amount of general obligation bonds issued in a fiscal year."

It should be noted that the enactment of this proposal, in addition to the increased general obligation bonding levels provided by the Legislature in 1983 Wisconsin Act 27 (the Biennial Budget) may cause this recommended limit to be exceeded.

**FRED A. RISSER**  
Co-Chair

**JOHN ROBINSON**  
Co-Chair

Referred to committee on Aging, Financial Institutions and State Institutions.

By request of Senator Feingold, with unanimous consent, **Senate Bill 395** was withdrawn from committee on Aging, Financial Institutions and State Institutions and referred to joint committee on Finance.

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

**MERKEL, DR. KAREN**, of Milwaukee, as a member of the Optometry Examining Board, to serve for the term ending July 1, 1987.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Moen and Davis;

Noes, 0 -- None.

**MURRAY, JOHN**, of Beaver Dam, as a member of the Funeral Directors and Embalmers Examining Board, to serve for the term ending July 1, 1986.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Moen and Davis;

Noes, 0 -- None.

**JANSEN, RUTH KRAMER, M.D.**, of Milwaukee, as a member of the Nursing Home Administrators Examining Board, to serve for the term ending July 1, 1985.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Moen and Davis;

Noes, 0 -- None.

**PRATT, SARAH J., M.D.**, of Sheboygan to the Medical Examining Board, to serve a term to expire May 1, 1987.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Moen and Davis;

Noes, 0 -- None.

**PIPPIN, THOMAS D.**, of Madison, as a member of the Hearing Aid Dealers and Fitters Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Moen and Davis;

Noes, 0 -- None.

**BRENNAN, MARY JO**, of Watertown, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 1988.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Moen and Davis;

Noes, 0 -- None.

**GLEASON, WALTER J.**, of Delavan, as a member of the Psychology Examining Board, to serve for the term ending July 1, 1986.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Moen and Davis;

Noes, 0 -- None.

**RUSCH, DAVID L.**, of New London, as a member of the Funeral Directors and Embalmers Examining Board, to serve for the term ending July 1, 1985.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Moen and Davis;

Noes, 0 -- None.

**DeMARS, JO**, of Waukesha, as a member of the Funeral Directors and Embalmers Examining Board, to serve for the term ending July 1, 1985.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Moen and Davis;

JOURNAL OF THE SENATE [October 4, 1983]

Noes, 0 -- None.

**DRAEGER, JEROME H.**, of Racine, as a member of the Funeral Directors and Embalmers Examining Board, to serve for the term ending July 1, 1986.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Moen and Davis;

Noes, 0 -- None.

**MCKINNEY, LAFAYETTE**, of Milwaukee, as a member of the Psychology Examining Board, to serve for the term ending July 1, 1986.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Moen and Davis;

Noes, 0 -- None.

CARL W. THOMPSON  
Chair

The committee on Tourism and Revenue reports and recommends:

**Senate Bill 68**

Relating to a personal property tax exemption for logging equipment.

Adoption of senate amendment 1:

Ayes, 2 -- Senators Kincaid and Chilsen;

Noes, 0 -- None.

Passage as amended:

Ayes, 2 -- Senators Kincaid and Chilsen;

Noes, 0 -- None.

**Senate Bill 281**

Relating to authorizing credit unions to act as depositories for public funds and designating the higher education corporation as a public depository.

Introduction and adoption of senate amendment 1:

Ayes, 2 -- Senators Kincaid and Chilsen;

Noes, 0 -- None.

Passage as amended:

Ayes, 2 -- Senators Kincaid and Chilsen;

Noes, 0 -- None.

**Senate Bill 418**

Relating to determining when motor fuel is received for purposes of the motor fuel tax.

Passage:

Ayes, 2 -- Senators Kincaid and Chilsen;

Noes, 0 -- None.

**Assembly Bill 194**

Relating to the penalties for possessing unstamped cigarettes and imposing a penalty.

Concurrence:

Ayes, 2 -- Senators Kincaid and Chilsen;

Noes, 0 -- None.

LLOYD H. KINCAID  
Chair

The committee on Agriculture and Rural Affairs reports and recommends:

**Assembly Joint Resolution 30**

Memorializing congress to support the Voluntary Incentive Program as presented by the Midwest Dairy Industry.

Concurrence:

Ayes, 6 -- Senators Moen, Theno, Kincaid, Feingold, Offner and Opitz;

Noes, 0 -- None.

**Assembly Joint Resolution 41**

Relating to condemning the imposition by the United States Department of Agriculture of a 50-cent per hundredweight assessment on milk.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Moen, Kincaid, Theno, Feingold and Offner;

Noes, 1 -- Senator Opitz.

Concurrence as amended:

Ayes, 5 -- Senators Moen, Kincaid, Theno, Feingold and Offner;

Noes, 1 -- Senator Opitz.

RODNEY C. MOEN  
Chair

The committee on Senate Organization reports and recommends:

**Assembly Joint Resolution 55**

Declaring June 1, 1983, Sheboygan Brat Day in Madison and thanking the Brat Day coordinators, cohosts and other contributors for their fine efforts.

Concurrence:

Ayes, 4 -- Senators Cullen, Risser, Harsdorf and Engeleiter;

Noes, 0 -- None.

TIMOTHY F. CULLEN  
Chair

The committee on Aging, Financial Institutions and State Institutions reports and recommends:

**BOGE, PATRICIA A.**, of La Crosse, as a member of the State Historical Society Board of Curators, to serve for the term ending July 1, 1984.

Confirmation:

Ayes, 5 -- Senators Feingold, Thompson, Czarnecki, Engeleiter and Lorman;

Noes, 0 -- None.

**SMITH, BOB**, of Seymour, as a member of the State Historical Society of Curators, to serve for the term ending July 1, 1985.

Confirmation:

Ayes, 5 -- Senators Feingold, Thompson, Czarnecki, Engeleiter and Lorman;

Noes, 0 -- None.

**FOX, CHARLES**, of Baraboo, as a member of the State Historical Society Board of Curators, to serve for the term ending July 1, 1986.

JOURNAL OF THE SENATE [October 4, 1983]

Ayes, 5 -- Senators Feingold, Thompson,  
Czarnezki, Engeleiter and Lorman;

State of Wisconsin  
Claims Board

Noes, 0 -- None.

September 29, 1983

RUSS FEINGOLD

Chair

State of Wisconsin  
Department of State

September 27, 1983

To the Honorable the Senate

I have the honor to transmit to you the following  
information pursuant to s. 13.685(8):

Sincerely,

DOUGLAS LAFOLLETTE

Secretary of State

*Lobbyist's name, address, telephone number;  
principal's name, address, telephone number; the code  
numbers indicating Areas of Legislative Action; the code  
numbers indicating Areas of Administrative Action.*

Goyke, Gary R., 22 N. Carroll St., Ste. 201,  
Madison, WI 53703 (608) 251-5997; The Wisconsin  
Sheriffs & Deputy Sheriffs Assn., P.O. Box 145,  
Chippewa Falls, WI 54729 (715) 723-0402; 6, 20, 23; 126,  
130, 140, 141, 176.

Heider, Robert R., Box 190, 910 Elm Grove Rd., Elm  
Grove, WI 53122 (414) 786-4440; Wisconsin Academy  
of Ophthalmology, c/o Robert Herzog, 850 Elm Grove  
Rd., Elm Grove, WI 53122 (414) 784-3646; 1-26; 101-  
185.

Maier, Norman R., 2805 E. Washington Ave.,  
Madison, WI 53704 (608) 241-4973; Wisconsin Dairy  
Products Assn., Inc., 2805 E. Washington Ave.,  
Madison, WI 53704 (608) 241-4973; 1, 10, 11, 18; 109,  
129, 144.

Sampson, Howard L., 545 W. Dayton St., Madison,  
WI 53703 (608) 266-6250; Madison Metropolitan School  
District Board of Education, 545 W. Dayton St.,  
Madison, WI 53703 (608) 266-6232 or 266-6250; 7; 107.

Lobbyist Terminations:

Hasler, Joseph J., for Charles Nylund, effective  
September 27, 1983.

Hasler, Joseph J., for Ruleau Brothers, Inc., effective  
September 27, 1983.

Phillips, Joe, for Wisconsin Advertising Assn., Inc.,  
effective September 21, 1982.

Varda, Michael S., for Ruleau Brothers, Inc.,  
effective September 27, 1983.

Varda, Michael S., for Charles Nylund, effective  
September 27, 1983.

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 19, 1983.

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 May 16,  
1983, upon the following claims:

| Claimant                                   | Amount      |
|--|-------------|
| Clayton Environmental Consultants,<br>Inc. | \$ 2,768.00 |
| Dee Williams                               | 733.66      |

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

|                           |             |
|---------------------------|-------------|
| Leonid & Minna Koptelow   | \$80,500.00 |
| Sawyer County             | 2,390.00    |
| Lee Schrank               | 67.54       |
| Josephine Rake            | 48.00       |
| Dale Marsh                | 63.00       |
| Jerome King               | 406.97      |
| Richard Fraser            | 518.00      |
| Marie Erdman              | 289.28      |
| Estate of Daniel Usonis   | 726.74      |
| Larry & Linda Pember      | 541.04      |
| Estate of Gladys Stofflet | 703.22      |
| William O'Neal            | 50.00       |
| Mary Hurst                | 89.00       |
| Susan Bissegger           | 60.50       |
| Dr. Charles Wunder        | 148.50      |
| Cindi Hansen              | 43.42       |
| James Goetter             | 33.77       |

|               |       |
|---------------|-------|
| JuneRae Free  | 63.00 |
| Howard Schwid | 78.00 |

THE BOARD FINDS:

1. Clayton Environmental Consultants, Inc., of Southfield, Minnesota, claim \$2,768.00 for professional service rendered by Richard Walcott, to testify in a circuit court case on behalf of the Department of Industry, Labor and Human Relations in 1982. No written agreement was entered into between claimant and the state regarding compensation and Mr. Walcott was reimbursed for travel and related expenses only in the amount of \$555.57. Mr. Walcott appeared at the hearing at which time he agreed to accept \$1,000 as full and final settlement of this claim. The Board concludes this claim should be paid in the reduced amount of \$1,000.00 based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats., payment should be made from the Department of Justice appropriation s. 20.455(1)(d), Stats.

2. Dee Williams of Janesville claims \$733.66 for reimbursement of a tax assessment and attorney fees relating to the appeal of the assessment of 1978 income taxes. Claimant's husband filed an appeal with the Wisconsin Tax Appeals Commission assuming that he was appealing jointly for himself and his wife. However, based on the contents of the appeal and the submission of one filing fee, only Mr. Williams perfected an appeal pursuant to s. 73.01(5)(a), Stats. This appeal resulted in a final settlement with the Department of Revenue for a lower tax assessment. Mrs. Williams was required to pay the amount of the original assessment plus interest totaling \$689.00. While there is no showing of negligence on the part of the state, the Board concludes the claim should be paid in the reduced amount of \$300, based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats., payment should be made from the State Claims Board appropriation s. 20.505(4)(d), Stats.

3. Leonid and Minna Koptelow of Santa Barbara, California, claim \$80,500.00 for damages resulting from violations committed by the plumber and the certified soil tester during the installation of a private sewage system on claimant's property in Jefferson County, Wisconsin, in 1980. The state approved the plans and issued a permit for the site based on reliance of the soil tester's data which was later shown to be inaccurate. Section 145.10, Stats., requires that violations in the installation of a sewage system must be corrected by the soil tester and plumber at their expense within a time period assigned by the Department of Industry, Labor and Human Relations. However, claimant installed a code-compliant system at his own expense. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents, or employees and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

4. Sawyer County claims \$2,390.00 for Indian Reservation law enforcement in 1981-1982. Claimant

alleges that a County Resolution was mailed to the State in November, 1981, requesting the law enforcement aid. The records for the Department of Justice indicate that they received the County's request for aid after the close of the 1982 fiscal year. The records further indicate that all of the money in the appropriation for law enforcement aid had been expended to eligible counties by June 30, 1982. 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.

5. Lee Schrank of Belmont claims \$67.54 for replacement of his clothing allegedly damaged while acting within the scope of his employment for the Department of Transportation. Claimant was erecting a road sign while it was raining and he slipped off a ladder, breaking his leg; his clothing was cut in an attempt to splint his leg. The Board concludes the claim should be paid in the reduced amount of \$50, based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats., payment should be made from the Department of Transportation appropriation s. 20.395(3)(eq), Stats.

6. Josephine Rake of Beaver Dam claims \$48 for medical expenses incurred as a result of an alleged injury on April 28, 1983. While touring the Governor's mansion and grounds, claimant allegedly stepped on a piece of bark causing her to fall. There is no showing that the fall was caused by a condition of which the state had notice nor is there any showing of negligence on the part of the state, its officers, agents, or employees. 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. The claim of Dale Marsh was previously approved for payment at the April 4, 1983, Claims Board meeting. Payment of \$63 was awarded with the stipulation that it be made jointly to claimant and the garage performing the repairs on claimant's car. Upon receipt of the Board decision, the claimant informed the Board that he had completed the repairs himself removing the necessity for a joint check. Upon reconsideration and receipt of the estimated cost of materials and labor submitted by claimant, the Board concludes the claim should be paid in the reduced amount of \$20, excluding the cost of the reusable materials and labor, based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats., payment should be made from the Department of Administration appropriation s. 20.505(1)(kf), Stats.

8. Jerome King of Cottage Grove claims \$406.97 for 8 days lost wages as the result of an alleged layoff from employment, by the Department of Administration in 1981. Claimant alleges that he was not advised of an opportunity to grieve the layoff. Claimant accepted an offer of recall from layoff for a position with the Department of Administration effective April 30, 1981, 8 days after the layoff. 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.

9. Richard Fraser of Omro claims \$518.00 for repairs to his vehicle which was damaged by a falling tree, while it was parked at Waukau Creek in Winnebago County while he was fishing on April 14, 1983. Section 29.68, Stats., provides that owners of property, including state, who give their permission to use its property for recreational purposes do not extend any assurances that the premises are safe for such use and are not liable for damages unless there is a willful or malicious failure to guard or warn against a dangerous condition. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents, or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

10. Marie Erdman of Rio claims \$289.28 for replacement of a picture window in her home which was broken by a bullet allegedly fired by an unknown person hunting deer on state land on November 27, 1982. 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.

11. Estate of Daniel Usonis of Richland Center claims \$726.74 for refund of an inheritance tax overpayment. Madeline and Daniel Usonis, husband and wife, both died as a result of an automobile accident in Racine County. Madeline was killed instantly and Daniel died on April 2, 1979. The Estate of Daniel Usonis filed an inheritance tax return on March 26, 1980, which included as an asset a cash bequest in the amount of \$4,000.00 from the Estate of Madeline. The validity of the \$4,000.00 bequest was challenged in court and it was determined that the Estate of Madeline Usonis was not required to pay such bequest to the Estate of Daniel Usonis. The refund amount is calculated by removing the \$4,000.00 bequest from the estate's assets and also subtracting \$844.94 of related administration expenses from the previously determined taxable estate. The estate did not petition the court to retain jurisdiction over the inheritance tax determination. 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.

12. Larry and Linda Pember of Menomonie claim \$541.04 for reimbursement of sales tax plus interest assessed by the Department of Revenue on February 9, 1981, when the claimants were unable to produce the purchase agreement showing that sales tax in the amount of \$260.40 had been paid at the time they purchased their mobile home in Minnesota in 1975. If this fact had been known at the time of the audit or appeal, it is likely that there would have been no additional assessment. Therefore, the Board concludes this claim should be paid, based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats.,

payment should be made from the Claims Board appropriation s. 20.505(4)(d), Stats.

13. First National Bank & Trust Company of Beaver Dam, personal representative of the Estate of Gladys Stofflet, claim \$703.22 for refund of an inheritance tax overpayment. The overpayment resulted from an undiscovered claim against the estate in the amount of \$7,813.56, which was not subtracted from the total taxable estate. The Department of Revenue was unable to act on the claim to determine if a deduction would be allowed as a legal debt of the decedent because a request for redetermination of the tax was not obtained within six months of the date of issuance of the original certificate. The Board concludes the 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. William O'Neal of Madison claims \$50 as the insurance deductible for damages incurred to his vehicle while it was parked in Lot 3 at the University of Wisconsin-Madison Extension Building on February 13, 1983. While the claimant was still in his car, a piece of ice fell from the roof of the building onto the hood of the car, causing the damage. The Board concludes the claim should be paid, based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats., payment should be made from the University of Wisconsin appropriation s. 20.285 (1)(a), Stats.

15. Mary Hurst of Madison claims \$89 for the replacement cost of her eyeglasses which were damaged on April 17, 1983, during the course of her duties as a student employe at the Union South, University of Wisconsin-Madison campus. While removing trash bags from containers, a plastic bag gave way and claimant's hand flew up to her face, knocking off her glasses. The Board concludes there is 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. (Member Schneider dissents).

16. Susan Bissegger of Madison claims \$60.50 for medical expenses incurred in November, 1981, as the result of an error made by the University of Wisconsin-Madison, with respect to her health insurance. The Board recommends the claim be paid in the reduced amount of \$14.76, which reflects the amount of medical expenses less \$45.74, the amount of the November insurance premium, based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats., payment should be made from the University of Wisconsin appropriation s. 20.285(1)(j), Stats.

17. Dr. Charles Wunder of Waterford claims \$148.58 for damages to his automobile antenna on November 30, 1982, while he was parked in the Wallace Hospital driveway at the Southern Wisconsin Center, where his wife is employed. Claimant was waiting in the car for his wife when a resident from the Center approached the car and broke off the antenna. The Board concludes the claim should be paid based on equitable principles. The

JOURNAL OF THE SENATE [October 4, 1983]

Board further concludes, under authority of s. 16.007(6m), Stats., payment should be made from the Department of Health & Social Services appropriation s. 20.435(2)(gk), Stats.

18. Cindi Hansen of Union Grove claims \$43.42 for automobile damages on January 31, 1983, on the grounds of Southern Wisconsin Center caused by a resident of that institution. Claimant has full insurance coverage for the loss, and the Board concludes the 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. James Goetter of Irma claims \$33.77 for damages to his trailer incurred in May 7, 1983, when a juvenile on escape status from the Lincoln Hills School forced entry into the trailer, causing the damages. The Board concludes the claim should be paid in the reduced amount of \$17.77 which represents the cost of the materials to repair the damages excluding labor, based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats., payment should be made from the Department of Health & Social Services appropriation s. 20.435(3)(hm), Stats.

20. JuneRae Free of Kenosha claims \$63 for repairs to her wedding ring allegedly necessitated by an accident on March 6, 1983 at the Southern Wisconsin Center, where she is employed. At the same time claimant attempted to raise the side rail on a patient's bed, the patient kicked the rail, pinching her left hand between the canopy bar and top rail of the bed, breaking her ring. The Board concludes the claim should be paid, based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats., payment should be made from the Department of Health & Social Services appropriation s. 20.435(2)(gk), Stats.

21. Howard Schwid of Madison claims \$78 for damages to his eyeglasses which occurred on February 16, 1983, while he was attempting to restrain a violent patient at Mendota Mental Health Institute, where he is employed. The Board concludes the claim should be paid based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats., payment should be made from the Department of Health & Social Services appropriation s. 20.435(2)(gk), Stats.

**THE BOARD CONCLUDES:**

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

Leonid and Minna Koptelow  
Sawyer County  
Josephine Rake  
Jerome King  
Richard Fraser  
Marie Erdman  
Estate of Daniel Usonis  
Estate of Gladys Stofflet  
Mary Hurst  
Cindi Hansen

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

|   |            |
|---|------------|
| Clayton Environmental Consultants, Inc. | \$1,000.00 |
| Dee Williams                            | 300.00     |
| Lee Schrank                             | 50.00      |
| Dale Marsh                              | 20.00      |
| Larry & Linda Pember                    | 541.04     |
| William O'Neal                          | 50.00      |
| Susan Bissegger                         | 14.76      |
| Dr. Charles Wunder                      | 148.58     |
| James Goetter                           | 17.77      |
| JuneRae Free                            | 63.00      |
| Howard Schwid                           | 78.00      |

Dated at Madison, Wisconsin this 29th day of September, 1983.

GERALD D. KLECZKA  
Senate Finance Committee

MARLIN D. SCHNEIDER  
Assembly Finance Committee

DANAE DAVIS GORDON  
Representative of Governor

EDWARD D. MAIN  
Representative of Secretary of Administration

WILLIAM H. WILKER  
Representative of Attorney General

**CALENDAR OF OCTOBER 4**

Senator Cullen asked unanimous consent that the appointments be considered enmasse.

Senator Norquist objected.

By request of Senator Cullen, with unanimous consent, the appointments were considered enmasse with the exception of Helen Hensler.

ALLEN, EDITH, of Menomonie, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 1987.  
Read.

BUTALA, JOSEPH K., of West Allis, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1988.  
Read.

CONWAY, FRANCIS J., of Thorp, as a member of the Banking Review Commission, to serve for the term ending May 1, 1984.  
Read.

HIRSCH, ALFRED, of Brookfield, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 1988.  
Read.

HISGEN, WILLIAM J., M.D., of Madison as a member of the Medical Examining Board, to serve for the term ending May 1, 1986.  
Read.

HOBBS, EDMUND R., of Madison, as a member of the Banking Review Commission, to serve for the term ending May 1, 1988.  
Read.

HOWE, WILLIAM, of Prairie du Chien, as a member of the Minnesota-Wisconsin Boundary Area Commission, to serve for the term ending September 25, 1988.  
Read.

KELLERMAN, JAMES M., of Green Bay, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 1987.  
Read.

KINNEY, MARJORIE, of Superior, as a member of the Wisconsin Housing Finance Authority, to serve for the term ending January 1, 1986.  
Read.

LAPORTE, FAYE, of Wausau, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 1987.  
Read.

MINEAU, FLORENCE, of West Bend, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 1985.  
Read.

MYRICK, JOANN, of Middleton, as a member of the Psychology Examining Board, to serve for the term ending July 1, 1985.  
Read.

NILSESTUEN, GERHARD, of Arcadia, as a member of the Minnesota-Wisconsin Boundary Area Commission, to serve for the term ending September 25, 1987.  
Read.

PATTERSON, THADIS, of Milwaukee, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 1986.  
Read.

POULSEN, JOYCE G., of Oshkosh, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 1984.  
Read.

RAFTERY, PATRICIA, R., D.O., of Sparta as a member of the Medical Examining Board, to serve for the term ending May 1, 1986.  
Read.

SCHULTZ, MARCH, of Watertown, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1985.  
Read.

SERTO, MICHELLE, of Kenosha, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1985.  
Read.

STAUDENMAIER, MARY L., of Marinette, as a member of the Banking Review Commission, to serve for the term ending May 1, 1987.  
Read.

WALKER, WILLIAM E., M.D., of Whitefish Bay as a member of the Medical Examining Board, to serve for the term ending May 1, 1987.  
Read.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnetzki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the appointments were confirmed.

HENSLER, HELEN, of Milwaukee as a member of the Dentistry Examining Board, to serve for the term ending July 1, 1986.  
Read.

The question was: Shall the appointment be confirmed?

The ayes and noes were required and the vote was: ayes, 27; noes, 6; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Cullen, Czarnetzki, Davis, Ellis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Offner, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 27.

Noes -- Senators Chilsen, George, Kreul, Lasee, Norquist and Opitz -- 6.

Absent or not voting -- None.

So the appointment was confirmed.

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#### SENATE CLEARINGHOUSE ORDERS

##### Clearinghouse Rule 83-107

AN ORDER to create NR 154.12 (7), relating to the establishment of emission limits for certain existing sources of sulfur dioxide located in Brown county.

Submitted by Department of Natural Resources.

Report received from agency, October 3, 1983.



Referred to committee on Energy and Environmental Resources, October 4, 1983.

**Clearinghouse Rule 83-140**

AN ORDER to repeal VA 1.08 (1) (b) and 4.03 (5); to amend VA 1.11 (16), 4.03 (7) and 6.01 (11); and to repeal and recreate VA 1.03, relating to the appeal of denials of benefits from and suspension of benefits by the department, the writing-off of loans, the repeal of the department's rules relating to condominiums, the amendment of the department's survey requirements and the deletion of the requirement that the Wisconsin veterans home provide tobacco to home members.

Submitted by Department of Veterans Affairs.

Report received from agency, September 28, 1983.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, October 4, 1983.

**Clearinghouse Rule 83-147**

AN ORDER to repeal NR 1.46 (2), relating to disposition of state fish and game lands.

Submitted by Department of Natural Resources.

Report received from agency, October 3, 1983.

Referred to committee on Energy and Environmental Resources, October 4, 1983.

**Clearinghouse Rule 83-150**

AN ORDER to amend Trans 176.06 (1) (a) (intro.), relating to financial responsibility requirements for 'for-hire' property carriers.

Submitted by Department of Transportation.

Report received from agency, October 3, 1983.

Referred to committee on Transportation, October 4, 1983.

The committee on Energy and Environmental Resources reports and recommends:

**Clearinghouse Rule 83-82**

AN ORDER to repeal and recreate ch. NR 45, relating to regulation of public use of state parks, forests and other lands and waters under the jurisdiction of the department of natural resources.

No action taken.

**Clearinghouse Rule 83-61**

AN ORDER to amend NR 212.60 (2) (c); and to create NR 212.60 (1) (cm) and (2) (cm), relating to water quality related effluent limitations for the upper Wisconsin river.

No action taken.

**Clearinghouse Rule 83-111**

AN ORDER to repeal and recreate NR 10.01 (3) (e) 1 and 10.115, relating to antlerless deer hunting permits.

No action taken.

**Clearinghouse Rule 82-248**

AN ORDER to create ch. DOD 7, relating to implementation of the Wisconsin environmental policy act.

No action taken.

JOE STROHL  
Chair

The committee on Agriculture and Rural Affairs reports and recommends:

**Clearinghouse Rule 83-99**

AN ORDER to amend Ag 107.03 (3) (b), relating to the allowable amount of potassium dichromate for use as a preservative in storing composite milk samples.

No action taken.

RODNEY C. MOEN  
Chair

State of Wisconsin  
Revisor of Statutes Bureau  
Madison, Wisconsin

October 1, 1983

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

Dear Mr. Schneider:

The following rules have been published and are effective:

Clearinghouse Rule 82-131 effective October 1, 1983.  
Clearinghouse Rule 82-222 effective October 1, 1983.  
Clearinghouse Rule 82-229 effective October 1, 1983.  
Clearinghouse Rule 82-239 effective October 1, 1983.  
Clearinghouse Rule 82-245 effective October 1, 1983.  
Clearinghouse Rule 82-249 effective October 1, 1983.  
Clearinghouse Rule 83- 13 effective October 1, 1983.  
Clearinghouse Rule 83- 15 effective October 1, 1983.  
Clearinghouse Rule 83- 22 effective October 1, 1983.  
Clearinghouse Rule 83- 23 effective October 1, 1983.  
Clearinghouse Rule 83- 24 effective October 1, 1983.  
Clearinghouse Rule 83- 27 effective October 1, 1983.  
Clearinghouse Rule 83- 32 effective October 1, 1983.  
Clearinghouse Rule 83- 33 effective October 1, 1983.  
Clearinghouse Rule 83- 45 effective October 1, 1983.  
Clearinghouse Rule 83- 52 effective October 1, 1983.  
Clearinghouse Rule 83- 57 effective October 1, 1983.  
Clearinghouse Rule 83- 59 effective October 1, 1983.  
Clearinghouse Rule 83- 87 effective October 1, 1983.  
Clearinghouse Rule 83-127 effective October 1, 1983.

Sincerely,  
GARY L. POULSON  
Assistant Revisor

CALENDAR OF OCTOBER 4

**Senate Joint Resolution 8**

Relating to property tax or other tax benefits for home improvements (first consideration).

Read a second time.

The question was: Shall **Senate Joint Resolution 8** be ordered to a third reading?

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

Ayes -- Senators Chilsen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Kincaid, Kreul, Lasee, Lee, Lorge, McCallum, Moen, Opitz, Strohl, Theno and Van Sistine -- 19.

Noes -- Senators Adelman, Cullen, Harsdorf, Helbach, Johnston, Kleczka, Lorman, Maurer, Norquist, Offner, Otte, Risser, Roshell and Thompson -- 14.

Absent or not voting -- None.

So the resolution was ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the rules were suspended and the resolution was considered for final action at this time

**Senate Joint Resolution 8**

Read a third time.

The question was: Shall **Senate Joint Resolution 8** be adopted?

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

Ayes -- Senators Chilsen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Kincaid, Kreul, Lasee, Lee, Lorge, McCallum, Moen, Opitz, Strohl, Theno and Van Sistine -- 18.

Noes -- Senators Adelman, Cullen, Hanaway, Harsdorf, Helbach, Johnston, Kleczka, Lorman, Maurer, Norquist, Offner, Otte, Risser, Roshell and Thompson -- 15.

Absent or not voting -- None.

So the resolution was adopted.

**Senate Bill 6**

Relating to return of personal property in a motor vehicle which is being towed or stored.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

**Senate Bill 6**

Read a third time and passed.

**Senate Bill 10**

Relating to not requiring that certain small lodging homes offering meals be licensed as tourist rooming houses or as restaurants.

Read a second time.

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

The question was: Adoption of senate amendment 2?  
Adopted.

Senator Van Sistine asked unanimous consent that the vote by which senate amendment 2 was adopted be reconsidered.

The question was: Reconsideration of the vote by which senate amendment 2 was adopted?

The motion prevailed.

The question was: Adoption of senate amendment 2?

Senator Van Sistine moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The motion prevailed.

Senator Lorman moved that **Senate Bill 10** be referred to committee on Labor, Business, Veterans Affairs and Insurance.

Senator Chilsen moved that **Senate Bill 10** be laid on the table.

The question was: Shall the bill be laid on the table?

The motion did not prevail.

The question was: Shall the bill be referred to committee on Labor, Business, Veterans Affairs and Insurance?

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

Ayes -- Senators Chilsen, Davis, Engeleiter, Feingold, Hanaway, Harsdorf, Lasee, Lorman, McCallum, Moen, Norquist and Theno -- 12.

Noes -- Senators Adelman, Cullen, Czarnezki, Ellis, George, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lee, Lorge, Maurer, Offner, Opitz, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 21.

Absent or not voting -- None.

So the motion did not prevail.

Ordered to a third reading.

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

**Senate Bill 10**

Read a third time and passed.

**Senate Bill 55**

Relating to coverage of teaching, project and program assistants employed by the university of Wisconsin system under the state employment labor relations act and making appropriations.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 55** was referred to joint committee on Finance.

**Senate Bill 56**

Relating to authority of the board of police and fire commissioners and the chief engineer of the fire department and the chief of police of 1st class cities.

Read a second time.

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 Johnston.

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

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

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

Adopted.

Senator George moved rejection of senate amendment 2 to senate substitute amendment 1.

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

The motion prevailed.

The question was: Adoption of senate substitute amendment 1?

Adopted.

The question was: Adoption of senate substitute amendment 2?

By request of Senator George, with unanimous consent, senate substitute amendment 2 was laid on the table.

Ordered to a third reading.

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

#### **Senate Bill 56**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 26; noes, 7; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Lasee, Lee, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Otte, Risser, Strohl, Theno, Thompson and Van Sistine - - 26.

Noes -- Senators Ellis, Johnston, Kleczka, Kreul, Lorge, Opitz and Roshell -- 7.

Absent or not voting -- None.

So the bill passed.

By request of Senator Cullen, with unanimous consent, the senate recessed until 2:00 P.M.

12:01 P.M.

RECESS

2:00 P.M.

The senate reconvened.

#### **Senate Bill 79**

Relating to directing the department of industry, labor and human relations to develop a certification exam for master electricians and granting rule-making authority.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 79** was referred to joint committee on Finance.

#### **Senate Bill 105**

Relating to establishing a system of marital property shared by husband and wife and providing penalties.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 105** was referred to joint committee on Finance.

#### **Senate Bill 118**

Relating to retention of information under the employes' right-to-know law, providing a hearing procedure for violations of that law, extending information requirements relating to pesticides and granting rule-making authority.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 118** was referred to joint committee on Finance.

#### **Senate Bill 147**

Relating to accepting releases from liability and appointing guardians of the estate.

Read a second time.

Ordered to a third reading.

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

#### **Senate Bill 147**

Read a third time and passed.

#### **Senate Bill 148**

Relating to substitution of a newly assigned judge in traffic regulation cases.

Read a second time.

Ordered to a third reading.

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

#### **Senate Bill 148**

Read a third time and passed.

#### **Senate Bill 151**

Relating to time limits for commencing appeals and preferential treatment of certain actions.

Read a second time.

Ordered to a third reading.

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

#### **Senate Bill 151**

Read a third time and passed.

**Senate Bill 158**

Relating to dates for completion of work by a board of assessors and board of review in 1st class cities.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 158**

Read a third time and passed.

**Senate Bill 160**

Relating to a report on Wisconsin investments by the investment board.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 160**

Read a third time and passed.

**Senate Bill 161**

Relating to liens on motor vehicles for towing or storage.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 161**

Read a third time and passed.

**Senate Bill 172**

Relating to vehicle length for auto carriers.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 172**

Read a third time and passed.

**Senate Bill 176**

Relating to motorboat noise levels and granting rule-making authority.

Read a second time.

By request of Senator Offner, with unanimous consent, **Senate Bill 176** was referred to committee on Senate Organization.

**Senate Bill 208**

Relating to creating an exemption from nonresident tuition at the university of Wisconsin system for persons transferred to this state by their employers.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 208** was referred to joint committee on Finance.

**Senate Bill 243**

Relating to various changes in the statutes pertaining to bingo and raffle control and imposing the state sales tax on raffle tickets.

Read a second time.

By request of Senator Davis, with unanimous consent, senate amendments 1 and 2 were returned to the author.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 243** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 243** was withdrawn from the joint committee on Finance and considered for action at this time.

**Senate Bill 243**

Relating to various changes in the statutes pertaining to bingo and raffle control and imposing the state sales tax on raffle tickets.

Read a second time.

The question was: Adoption of senate amendment 3? Adopted.

Ordered to a third reading.

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

**Senate Bill 243**

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasec, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the bill passed.

**Senate Bill 251**

Relating to leased farm trucks and farm trailers.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 251**

Read a third time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 251** was referred to joint committee on Finance.

**Senate Bill 269**

Relating to eligibility for the farmland preservation program.

Read a second time.

By request of Senator Kleczka, with unanimous consent **Senate Bill 269** was referred to joint committee on Finance.

**Senate Bill 275**

Relating to the fee on liming materials sold in the state and making an appropriation.

Read a second time.

Ordered to a third reading.

By request of Senator Kleczka, with unanimous consent **Senate Bill 275** was referred to joint committee on Finance.

**Senate Bill 280**

An act to repeal, renumber, renumber and amend, amend, repeal and recreate, create and revise various provisions of the statutes, and session laws for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of agencies, correcting and clarifying references, renumbering for better location and arrangement, eliminating unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

Read a second time.

Senate amendment 1 offered by Senator Risser.

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

Ordered to a third reading.

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

**Senate Bill 280**

Read a third time and passed.

**Senate Bill 317**

Relating to exempting migrant workers enrolled in the university of Wisconsin system from nonresident tuition.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 317** was referred to joint committee on Finance.

**Senate Bill 321**

Relating to vehicle length and width limits, granting rule-making authority and making appropriations.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 321** was referred to joint committee on Finance.

**Senate Bill 327**

Relating to assuring financial responsibility for motor vehicle accidents and providing a penalty.

Read a second time.

By request of Senator Kleczka, with unanimous consent **Senate Bill 327** was referred to joint committee on Finance.

**Assembly Joint Resolution 11**

Memorializing congress to oppose "privatization" proposals to sell federal land, particularly national forest land, in Wisconsin.

Read.

The question was: Shall the joint resolution be concurred in?

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

Ayes -- Senators Adelman, Cullen, Czarnezki, Ellis, Feingold, George, Harsdorf, Helbach, Kincaid, Kleczka, Lee, Lorge, McCallum, Maurer, Moen, Norquist, Offner, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 24.

Noes -- Senators Chilsen, Davis, Engeleiter, Hanaway, Johnston, Kreul, Lasee, Lorman and Opitz -- 9.

Absent or not voting -- None.

So the joint resolution was concurred in.

**Assembly Joint Resolution 18**

Relating to contracts for the sale of natural gas and the deregulation of natural gas prices.

Read.

Senate amendment 1 offered by Senator Opitz.

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

The question was: Shall the joint resolution be concurred in?

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

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- Senator Opitz -- 1.

Absent or not voting -- None.

So the joint resolution was concurred in as amended.

**Assembly Joint Resolution 48**

Relating to renaming the Arrowhead Bridge the Richard I. Bong Memorial Bridge and designating September 24, 1983, as Richard I. Bong Day.

Read.

Concurred in.

**Assembly Bill 7**

Relating to snowmobile travel adjacent to roadways.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 7**

Read a third time and concurred in.

**Assembly Bill 65**

Relating to revisions affecting public utility regulation.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 65**

Read a third time and concurred in.

**Assembly Bill 98**

Relating to making various changes concerning the community development finance authority.

Read a second time.

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

The question was: Adoption of senate amendment 2? Adopted.

Senate amendment 3 offered by Senator George.

The question was: Adoption of senate amendment 3? Adopted.

Ordered to a third reading.

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

**Assembly Bill 98**

Read a third time and concurred in.

**Assembly Bill 162**

Read a third time and concurred in as amended. restrictions in the sale of selected dairy products and granting rule-making authority.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 162**

Read a third time and concurred in.

**Assembly Bill 247**

Relating to restrictions on dealings between beer wholesalers and brewers and retailers.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 247**

Read a third time and concurred in.

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MOTIONS

By request of Senator Kincaid, with unanimous consent, **Senate Bill 281** was withdrawn from committee on Senate Organization and referred to committee on Tourism and Revenue.

By request of Senator Kincaid, with unanimous consent, **Senate Bill 281** was withdrawn from committee on Tourism and Revenue and referred to committee on Aging, Financial Institutions and State Institutions.

By request of Senator Lee, with unanimous consent, **Senate Bill 363** was withdrawn from committee on Urban Affairs and Government Operations and referred to Joint Survey committee on Retirement Systems.

Senator Van Sistine asked unanimous consent that **Senate Bill 429** be withdrawn from the committee on Judiciary and Consumer Affairs and referred to committee on Labor, Business, Veterans Affairs and Insurance.

Senator Adelman objected.

Senator Cullen asked unanimous consent that **Senate Bill 429** be withdrawn from the committee on Judiciary and Consumer Affairs and referred to the committee on Senate Organization.

Senator Adelman objected.

By request of Senator Maurer, with unanimous consent, the senate recessed until 3:15 P.M.

2:56 P.M.

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RECESS

3:15 P.M

The senate reconvened.

By request of Senator Cullen, with unanimous consent, **Senate Bill 429** was withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Senate Organization.

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

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AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 363** by Senator Lorge.

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CITATIONS

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MOTIONS UNDER SENATE RULE 98

A Certificate of Congratulations by Senator Harsdorf for EMMA HUBER, on the occasion of her 101st birthday.

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. NICHOLAS J. NICHOLS, on the occasion of their Golden Wedding Anniversary.

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. EVERET PARKINS, on the occasion of their Golden Wedding Anniversary.

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. RUPERT FISK, on the occasion of their 60th Wedding Anniversary.

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. LAURITS HANSEN, on the occasion of their Golden Wedding Anniversary.

A Certificate of Congratulations by Senator Harsdorf for LUND'S HARDWARE, on the occasion of its 110th anniversary.

A Certificate of Congratulations by Senator Harsdorf for BERNARD OLSON, on the occasion of his 50th year in the automotive business.

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. DICK KROEZE, on the occasion of their Golden Wedding Anniversary.

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. BILL WYNVEEN, on the occasion of their 60th Wedding Anniversary.

A Certificate of Congratulations by Senator Harsdorf for PEACE LUTHERAN CHURCH, on the occasion of its 100th Anniversary.

A Certificate of Congratulations by Senator Harsdorf for the CLAM FALLS LUTHERAN CHURCH, on the occasion of its 100th Anniversary.

A Certificate of Congratulations by Senator Harsdorf for the NEW RICHMOND IMMACULATE CONCEPTION CATHOLIC CHURCH, on the occasion of its 100th Anniversary.

A Certificate of Congratulations by Senator Harsdorf for the LITTLE ELK CREEK LUTHERAN CHURCH, on the occasion of its 125th Anniversary.

A Certificate of Commendation by Senator Czarnecki and Representative Bell for ALLAN "BUD" SELIG, for bringing major league baseball to Wisconsin.

A Certificate of Congratulations by Senators Feingold and Risser for JACK ROGAN on his retirement.

A Certificate of Condolence by Senator Theno and Representative Smith for the family of LANCE CORPORAL RANDY W. CLARK, who gave his life while serving with the Marines in Lebanon.

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. CLARENCE ENGELDINGER, on the occasion of their Golden Wedding Anniversary.

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. JULIUS MEIRHAEGHE, on the occasion of their Golden Wedding Anniversary.

A Certificate of Congratulations by Senator Kincaid for NORMAN SMITH, on the occasion of his 50th Anniversary in the grocery business.

A Certificate of Congratulations by Senator Opitz for MR. and MRS. JOHN KLECKNER, on the occasion of their 60th Wedding Anniversary.

A Certificate of Congratulations by Senator Lee for the SILVER SPRING NEIGHBORHOOD CENTER, on the occasion of the Center's 25th anniversary.

A Certificate of Commendation by Senator Cullen for DOCTOR JOHN KEATING, on his retirement from the Optometry Examining Board.

A Certificate of Commendation by Senator Kincaid for STEVE LARSON, ROBBIN PHILLIPS, KIPP THIEL, WAYNE GUTCHIE, BRENT STAMPER, JOHN HOULE, CARL BAILEY and LARRY CORNELL, for renovations at the Crandon High School.

A Certificate of Commendation by Senator Kincaid for BEN GUTHRIE, for his career of public service.

A Certificate of Commendation by Senator Hanaway for PEPPEN LEMMENS, for his years of service to the 4-H.

A Certificate of Congratulations by Senator Cullen for the JANESVILLE GENERAL MOTORS PLANT, on the occasion of its 60th anniversary.

By request of the president of the senate, with unanimous consent, the senate adjourned in honor of the new senator of the 24th District, Senator David Helbach.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Thursday, October 6.

3:19 P.M.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 340

1. Page 2, line 6: delete lines 6 to 9 and substitute: "~~tion as provided by s. 343.30(6)~~ one of the following penalties:

(a) For the first violation, a forfeiture of not more than \$250.

(b) For a 2nd or subsequent violation, a forfeiture of not more than \$500."

NOTE: New text in amended statute requires underscoring.