

Eighty-Sixth Regular Session

WEDNESDAY, May 30, 1984

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

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Claims Board

May 25, 1984

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 May 23, 1984.

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 23, 1984, upon the following claim:

1. Elwin Donaldson of Madison claims \$6,038 for attorney fees, \$68 for school tuition fees, \$25 for counseling fees and \$18,869.00 for mental anguish, depression and anxiety incurred as the result of his wrongful arrest, conviction and imprisonment for the alleged commission of an armed robbery on December 7, 1980. On December 7, 1980, Jay Hoffman, who was passing through Madison on his way to Texas, informed Madison police that he had been robbed at gunpoint by two men on East Main Street in Madison. Jay Hoffman later identified the claimant as the perpetrator. Claimant was convicted of the armed robbery charge in Dane County Circuit Court on February 19, 1982. At all times claimant maintained his innocence. Claimant was in jail from February 19, 1982, awaiting sentencing until mid-April, 1982, when he was freed because Jay Hoffman admitted he had fabricated the entire complaint against

the claimant. The Board recommends that the state in good conscience should compensate claimant in the amount of \$25,000 which includes the out-of-pocket expenses for attorney fees, school tuition and counseling fees, based on equitable principles.

THE BOARD FINDS:

1. Payment of \$25,000 be made to Elwin Donaldson as compensation for his wrongful conviction and imprisonment for the alleged commission of an armed robbery on December 7, 1980.

Dated at Madison, Wisconsin this 24th day of May, 1984.

JOHN J. MAURER
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

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 84-22

AN ORDER to renumber HSS 30.04 (1) (b); to renumber and amend HSS 30.04 (1) (intro.) and (a); to amend HSS 30.05 (1) and (3) (intro.) and (b); to repeal and recreate HSS 30.03 and 30.05 (4); and to create HSS 30.05 (3) (d), relating to granting discretionary parole to inmates of adult correctional institutions.

Submitted by Department of Health and Social Services.

Report received from agency, May 24, 1984.

Referred to committee on Health, Education, Corrections and Human Services, May 30, 1984.

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

Clearinghouse Rule 84-10

AN ORDER to amend HSS 62.01 (3) (p) and (r), relating to standards for the assessment of drivers of motor vehicles whose use of alcohol or controlled substances has interfered or threatens to interfere with their driving, and for the development and completion of driver safety plans for these drivers.

No action taken.

Clearinghouse Rule 83-161

AN ORDER to repeal Med 8.02 (7); to amend Med 8.01; and to repeal and recreate Med 8.03 to 8.10, relating to

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certification and practice requirements for a physician's assistant.

No action taken.

CARL W. THOMPSON
Chair

The committee on Energy and Environmental Resources reports and recommends:

Clearinghouse Rule 83-177

AN ORDER to create ch. NR 213, relating to lining of industrial lagoons.

No action taken.

Clearinghouse Rule 83-206

AN ORDER to amend NR 25.06 (2) (a) 1 to 3, 25.07 (2) (a) 2 a and 26.23 (3), relating to commercial fishing and fish refuges on outlying waters.

No action taken.

Clearinghouse Rule 83-209

AN ORDER to renumber NR 25.07 (2) (a) 2 c; to amend NR 25.07 (2) (a) 1 b; and to create NR 25.07 (2) (a) 2 c, relating to the allocation of the commercial chub harvest in Lake Michigan.

No action taken.

JOE STROHL
Chair

The committee on Agriculture and Rural Affairs reports and recommends:

Clearinghouse Rule 84-18

AN ORDER to create Ag 10.62, relating to prohibiting imports of poultry, poultry products and related materials originating from the states of Pennsylvania, Virginia and Maryland.

No objection.

Clearinghouse Rule 83-189

AN ORDER to create Ag 10.37, relating to the certification of classification of cattle herds according to paratuberculosis (Johne's disease) status.

No objection.

RODNEY C. MOEN
Chair