

STATE OF WISCONSIN

Senate Journal

Eighty-Ninth Regular Session

10:00 A.M.

Tuesday, February 13, 1990

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:

Senators Adelman, Andrea, Barrett, Berndt, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Farrow, Feingold, George, Helbach, Kincaid, Kreul, Lasee, Leean, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 32.

Absent -- Senator Jauch — 1.

Absent with leave — None.

The senate stood for a moment of silent prayer.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 74

Relating to memorializing congress, the President of the United States and the federal Environmental Protection Agency to honor the United States Canadian Great Lakes Agreement.

By Senators Van Sistine, Burke, Ulichny, Farrow, Cowles, Lasee and Lorman; cosponsored by Representatives Seery, Young, Plache, Huber, Vanderperren, C. Potter, Van Dreef, Notestein, Hinkfuss, R. Potter, Gard, Barca, Musser, Stower, Van Gorden, Lorge, Schneiders, Schmidt, Zien and Schultz.

To committee on Urban Affairs, Environmental Resources, Utilities and Elections.

Senate Joint Resolution 75

Relating to memorializing congress to enact appropriate legislation limiting the hiring of permanent replacement workers during bona fide labor disputes.

By Senators Feingold, Te Winkle, Burke, Barrett, Czarnecki, Roshell, Andrea, Van Sistine and Plewa; cosponsored by Representatives Bock, M. Coggs, Seery, Carpenter, Notestein, Clarenbach, Grobschmidt, Boyle, R. Potter, Robson, Wood, Black, Holschbach and Moore.

To committee on Labor, Business, Insurance, Veterans' and Military Affairs.

Senate Joint Resolution 76

Relating to state bonding and internal improvements for railways (first consideration).

By Senators Czarnecki, Helbach, Strohl, Risser, Kincaid, Van Sistine, Cowles, Burke, Chvala, Jauch, Ulichny, Kreul and Feingold; cosponsored by Representatives Barea, Holperin, Duff, Notestein, Krug, Van Dreef, Hasenohrl, Bock, Musser, Johnsrud, Roberts, Underheim, Carpenter, Robson, Gruszynski, Schultz, Lautenschlager and Young.

Read first time and referred to committee on Transportation, Conservation and Mining.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 446

Relating to heritage tourism and making an appropriation.

By Senators Ulichny, Rude, Jauch, Plewa, Risser, Barrett, Lorman, Czarnecki, Roshell, Berndt, Feingold, Andrea, Kreul, Buettner, Burke, Farrow, Leean, Van Sistine and Helbach; cosponsored by Representatives Rohan, Zeuske, Robson, Holperin, Grobschmidt, Gronemus, Notestein, Swoboda, Plache, Black, Panzer, Young, Wood, Krug, Baldus, R. Potter, Huelsman, Rosenzweig, Johnsrud, Klusman, Schultz, Lorge, Gard, Deininger, Ladwig, Zien, Coleman, Radtke, Rutkowski and Barca.

To committee on Education, Economic Development, Financial Institutions and Fiscal Policies.

Senate Bill 447

Relating to the regulation of dentists and dental hygienists by the dentistry examining board, granting rule-making authority and providing a penalty.

By Senators Rude, Moen, Cowles, Kreul and Buettner; cosponsored by Representatives Carpenter, Rosenzweig, Johnsrud, M. Coggs, Schmidt, Holperin, Zien, Roberts, Duff, Deininger, Lepak and Ott, by request of Dental Examining Board, Department of Regulation and Licensing, Wisconsin Dental Assistants Association, Wisconsin Dental Association and Wisconsin Dental Hygienists Association.

To committee on Agriculture, Corrections, Health and Human Services.

Senate Bill 448

Relating to the availability of a judge or court commissioner for ordering release of a person from custody.

By Senator Adelman; cosponsored by Representative Rutkowski, by request of Judicial Council.

To committee on Judiciary and Consumer Affairs.

Senate Bill 449

Relating to various changes to the statutes pertaining to truancy.

By Senators Van Sistine and Buettner; cosponsored by Representatives Van Dreef, Lautenschlager, Vanderperren, Grobschmidt, Van Gorden, Zien and Schneiders, by request of Green Bay Common Council.

To committee on Education, Economic Development, Financial Institutions and Fiscal Policies.

Senate Bill 450

Relating to grants for establishing community youth centers and making an appropriation.

By Senators Lorman and Buettner; cosponsored by Representatives Rosenzweig, Lorge, Musser, Klusman, Harsdorf, Urban, Zien and Volk.

To committee on Agriculture, Corrections, Health and Human Services.

Senate Bill 451

Relating to calculating shared revenue payments for municipalities located in more than one county.

By Senators Lorman, George, Kreul, Berndt and Roshell; cosponsored by Representatives Lewis and Goetsch.

To committee on Aging, Banking, Commercial Credit and Taxation.

Senate Bill 452

Relating to special observance days in school.

By Senators Moen, Kreul, Burke, Andrea, Cowles, Rude, Van Sistine, Buettner, Lecan and Lorman; cosponsored by Representatives Holschbach, Grobschmidt, Musser, Goetsch, Van Gorden, Coleman, Baldus, Zien, Turba, Hamilton, Brandemuehl, Klusman, Gronemus, Lahn and Lorge.

To committee on Education, Economic Development, Financial Institutions and Fiscal Policies.

Senate Bill 453

Relating to motor vehicle dealer license fees and examination costs and costs for community currency exchange, collection agency and insurance premium finance company investigations or examinations conducted by the commissioner of banking.

By Senator Feingold; cosponsored by Representative Fortis, by request of Commissioner of Banking.

To committee on Aging, Banking, Commercial Credit and Taxation.

Senate Bill 454

Relating to temporarily prohibiting the commercial use of synthetic bovine somatotropin and the transfer of milk produced during that time from cows used in synthetic bovine somatotropin research and granting rule-making authority.

By Senators Feingold, Lasec, Van Sistine, Adelman, Burke, Risser, Andrea, Kincaid, George, Czarnecki, Chivala and Jauch; cosponsored by Representatives Stower, Hamilton, Fortis, Gronemus, Grobschmidt, Medinger, Young, Notestein, Hubler, Wood, Wineke,

Seery, Robson, Hasenohrl, M. Coggs, Carpenter, Barca, Bock, Roberts, Thompson and Fergus.

To committee on Agriculture, Corrections, Health and Human Services.

COMMITTEE REPORTS

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

GILL, NORMAN, of Milwaukee, as a member of the Funeral Directors Examining Board, to serve for the term ending July 1, 1993.

Confirmation:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold, Jauch, Barrett, Lorman and Weedon;

Noes, 0 -- None.

Senate Bill 342

Relating to state procurements from work centers for the severely handicapped, creating a state use board, granting rule-making authority and making an appropriation.

Introduction and adoption of Senate amendment 1:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold, Jauch, Barrett, Lorman and Weedon;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold, Jauch, Barrett, Lorman and Weedon;

Noes, 0 -- None.

Senate Bill 393

Relating to funding the cost of administering epoetin alfa to certain chronic renal disease patients and making an appropriation.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold, Jauch, Barrett, Lorman and Weedon;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold, Jauch, Barrett, Lorman and Weedon;

Noes, 0 -- None.

Senate Bill 394

Relating to establishing an injury prevention grant program, granting rule-making authority and making an appropriation.

Passage:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold, Jauch, Barrett, Lorman and Weedon;

Noes, 0 -- None.

Senate Bill 396

Relating to changing the definition of bed and breakfast establishments.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold, Jauch, Barrett, Lorman and Weedon;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold,
Jauch, Barrett, Lorman and Weeden;

Noes, 0 -- None.

Assembly Bill 163

Relating to the sale of farm machinery and equipment manufactured in prisons and providing a penalty.

Introduction and adoption of Senate amendment 1:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold,
Jauch, Barrett and Weeden;

Noes, 1 -- Senator Lorman.

Concurrence:

Ayes, 6 -- Senators Moen, Te Winkle, Feingold,
Jauch, Barrett and Weeden;

Noes, 1 -- Senator Lorman.

Assembly Bill 211

Relating to requiring training for foster parents, granting rule-making authority and making appropriations.

Concurrence:

Ayes, 7 -- Senators Moen, Te Winkle, Feingold,
Jauch, Barrett, Lorman and Weeden;

Noes, 0 -- None.

Rodney C. Moen
Chair

The committee on Labor, Business, Insurance, Veterans' and Military Affairs reports and recommends:

Senate Joint Resolution 2

Relating to authorizing promotional advertising of the Wisconsin state lottery and removing from the gambling section of the constitution the prohibition of individual divorce grants by the legislature (first consideration).

Introduction and adoption of Senate amendment 1:

Ayes, 4 -- Senators Van Sistine, Roshell, Kincaid
and Plewa;

Noes, 3 -- Senators Te Winkle, Rude and Farrow.

Adoption as amended:

Ayes, 5 -- Senators Van Sistine, Roshell, Kincaid,
Plewa and Rude;

Noes, 2 -- Senators Te Winkle and Farrow.

Senate Bill 219

Relating to advertising involving plumbing, various procedures, penalties and remedies for violations of certain plumbing laws and providing a penalty.

Adoption of Senate substitute amendment 1:

Ayes, 5 -- Senators Van Sistine, Roshell, Kincaid,
Plewa and Te Winkle;

Noes, 2 -- Senators Rude and Farrow.

Passage as amended:

Ayes, 5 -- Senators Van Sistine, Roshell, Kincaid,
Plewa and Te Winkle;

Noes, 2 -- Senators Rude and Farrow.

Senate Bill 428

Relating to requiring the department of industry, labor and human relations to certify beginning electricians, journeymen electricians and electrical contractors and granting rule-making authority.

Passage:

Ayes, 7 -- Senators Van Sistine, Roshell, Kincaid,
Plewa, Te Winkle, Rude and Farrow;

Noes, 0 -- None.

SCHELLINGER, JACQUELINE D., of Elm Grove, as a member of the Lottery Board, to serve for the interim term ending May 1, 1990.

Confirmation:

Ayes, 7 -- Senators Van Sistine, Roshell, Kincaid,
Plewa, Te Winkle, Rude and Farrow;

Noes, 0 -- None.

SCHELLINGER, JACQUELINE D., of Elm Grove, as a member of the Lottery Board, to serve for the term ending May 1, 1995.

Confirmation:

Ayes, 7 -- Senators Van Sistine, Roshell, Kincaid,
Plewa, Te Winkle, Rude and Farrow;

Noes, 0 -- None.

Senate Bill 10

Relating to liability for damages to rental private passenger vehicles and providing a penalty.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 7 -- Senators Van Sistine, Roshell, Kincaid,
Plewa, Te Winkle, Rude and Farrow;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Van Sistine, Roshell, Kincaid,
Plewa, Te Winkle, Rude and Farrow;

Noes, 0 -- None.

Senate Bill 276

Relating to criminal records of individuals associated with partnerships, associations or corporations that are lottery retailers or vendors (suggested as remedial legislation by the lottery board).

Passage:

Ayes, 7 -- Senators Van Sistine, Roshell, Kincaid,
Plewa, Te Winkle, Rude and Farrow;

Noes, 0 -- None.

Senate Bill 386

Relating to participation of pharmacists in limited service health organizations and preferred provider plans.

Passage:

Ayes, 7 -- Senators Van Sistine, Roshell, Kincaid,
Plewa, Te Winkle, Rude and Farrow;

Noes, 0 -- None.

Assembly Bill 319

Relating to the book kept by retail alcohol beverage licensees and permittees on premises for signature by patrons.

Concurrence:

Ayes, 7 -- Senators Van Sistine, Roshell, Kincaid,
Plewa, Te Winkle, Rude and Farrow;
Noes, 0 -- None.

Assembly Bill 584

Relating to the requirement for a licensed podiatrist
to carry malpractice insurance.

Concurrence:
Ayes, 7 -- Senators Van Sistine, Roshell, Kincaid,
Plewa, Te Winkle, Rude and Farrow;
Noes, 0 -- None.

Jerome Van Sistine
Chair

The committee on Housing, Government Operations
and Cultural Affairs reports and recommends:

Assembly Bill 240

Relating to designating corn as the state grain.

Concurrence:
Ayes, 4 -- Senators Plewa, Ulichny, Van Sistine and
Burke;
Noes, 2 -- Senators Rude and Lorman.

Senate Bill 128

Relating to designating the cranberry muffin as the
state muffin.

Passage:
Ayes, 4 -- Senators Plewa, Ulichny, Van Sistine and
Burke;
Noes, 2 -- Senators Rude and Lorman.

Senate Joint Resolution 64

Relating to housing of primary benefit to persons of
low or moderate income (first consideration).

Introduction and adoption of Senate amendment 1:
Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine,
Burke, Rude and Lorman;
Noes, 0 -- None.
Adoption as amended:
Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine,
Burke, Rude and Lorman;
Noes, 0 -- None.

Senate Joint Resolution 68

Relating to constructing a state memorial in honor of
law enforcement officers and fire fighters who have lost
their lives in the line of duty.

Introduction and adoption of Senate substitute
amendment 1:

Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine,
Burke, Rude and Lorman;
Noes, 0 -- None.
Adoption as amended:
Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine,
Burke, Rude and Lorman;
Noes, 0 -- None.

Senate Bill 304

Relating to the coverage of public employes under the
group life insurance program and allowing certain public
employes to continue group life insurance coverage after
terminating employment and to convert the value of

postretirement life insurance to pay for health or long-
term care insurance.

Introduction and adoption of Senate amendment 1:
Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine,
Burke, Rude and Lorman;

Noes, 0 -- None.
Passage as amended:
Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine,
Burke, Rude and Lorman;
Noes, 0 -- None.

Assembly Bill 391

Relating to granting to electors in villages the
authority to enact legislation by referendum.

Concurrence:
Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine,
Burke, Rude and Lorman;
Noes, 0 -- None.

Assembly Bill 487

Relating to removing the corporation counsel in
populous counties from the classified service and
formalizing the informal position of deputy corporation
counsel.

Concurrence:
Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine,
Burke, Rude and Lorman;
Noes, 0 -- None.

Assembly Bill 236

Relating to subjects of collective bargaining in state
employment.

Concurrence:
Ayes, 6 -- Senators Plewa, Ulichny, Van Sistine,
Burke, Rude and Lorman;
Noes, 0 -- None.

Assembly Bill 287

Relating to state collective bargaining concerning use
of project and limited term employes and salary range
inequities.

Concurrence:
Ayes, 4 -- Senators Plewa, Ulichny, Van Sistine and
Burke;
Noes, 2 -- Senators Rude and Lorman.

John R. Plewa
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Office of the Secretary of State
February 6, 1990

To the Honorable the Senate

I have the honor to transmit to you the following
information pursuant to s. 13.685(7).

If you have any questions concerning this transmittal,
please contact (608) 266-5503.

NEWLY REGISTERED LOBBYISTS AND THEIR
PRINCIPALS:

JOURNAL OF THE SENATE [February 13, 1990]

Mary Ann Braithwaite, 1512 Park Ave., La Crosse, WI 54601 (608) 785-0035

1) WI Federation of Teachers Dennis R. Derrick, Exec. Dir., 2021 Atwood Ave., Madison, WI 53704 (608) 244-6877

Subjects: Criminal, panel and police, education, health, social services, state government, taxation, trust funds, Employee Trust Funds, State Teachers Retirement Board, WI Retirement Fund Board, Employment Relations, DILHR, Personnel Board, Personnel Commission, Public Defenders Board, DPI, University of WI System, Voc-Tech and Adult Education Board.

Bill Broydrick, 600 E. Mason, Milwaukee, WI 53202 (414) 224-9393

1) TIFA Ltd. Arnold Livingston, 50 Division Ave., Millington, NJ 07946 (201) 647-4570

Subjects: Any Matter affecting the company in any way by an state agency or the legislature

Cynthia Broydrick, 600 E. Mason, Milwaukee, WI 53202 (414) 224-9393

1) TIFA Ltd. Arnold Livingston, 50 Division Ave., Millington, NJ 07946 (201) 647-4570

Subjects: Any Matter affecting the company in any way by an state agency or the legislature

Eileen DeGrand-Mershart, 3507 N. Humboldt, Milwaukee, WI 53212 (414) 332-2640

1) National Assn. of Social Workers - WI Chap. Eileen DeGrand-Mershart, 6414 Copps Ave., Madison, WI 53716 (608) 222-7566

Subjects: Licensure, areas affecting our profession and clients

Dennis R. Derrick, 6 Heritage Cir., #8, Madison, WI 53711 (608) 271-8458

1) WI Federation of Teachers Dennis R. Derrick, Exec. Dir., 2021 Atwood Ave., Madison, WI 53704 (608) 244-6877

Subjects: Criminal, panel and police, education, health, social services, state government, taxation, trust funds, Employee Trust Funds, State Teachers Retirement Board, WI Retirement Fund Board, Employment Relations, DILHR, Personnel Board, Personnel Commission, Public Defenders Board, DPI, University of WI System, Voc-Tech and Adult Education Board

Rockne J. Duhr, 1812 Park St., Middleton, WI 53562 (608) 836-9685

1) WI Motorcycle Dealers Assn. James Baxter, 6678 Pertzborn Rd., Dane, WI 53529 (608) 849-4054

Subjects: Transportation and business related issues

Maira Fitzgerald, 600 E. Mason, Milwaukee, WI 53202 (414) 224-9393

1) TIFA Ltd. Arnold Livingston, 50 Division Ave., Millington, NJ 07946 (201) 647-4570

Subjects: Any matter affecting the company in any way by any state agency or the legislature

2) Blood Center of S.E. WI Richard Limbach, 1701 W. Wisconsin, Milwaukee, WI 53233 (414) 933-5000

Subjects: Any matter affecting the organization in any way by any state agency or the legislature

3) Children's Hospital Health Systems of WI Jon Vice, 9000 W. Wisconsin Ave., Wauwatosa, WI 53226 (414) 266-3032

Subjects: Any matter affecting the company in any way by any state agency or the legislature

4) Cook Educational Systems Ken Carol Storck, 12855 W. Silver Spring, Butler, WI 53007 (414) 466-6060

Subjects: Any matter affecting the company in any way by any state agency or the legislature

5) Miller Compressing Co. Dave Arend, 1640 W. Bruce St., Milwaukee, WI 53204 (414) 672-5980

Subjects: Any matter affecting the company in any way by any state agency or the legislature

6) Oneida Tribe Kathy Hughes, 3000 Seminary Rd., Oneida, WI 54155 (414) 869-2214

Subjects: Any matter affecting the company in any way by any state agency or the legislature

7) Paper Machinery Corp. Donald Baumgartner, 3718 W. Lancaster Ave., Milwaukee, WI 53209 (414) 466-3970

Subjects: Any matter affecting the company in any way by any state agency or the legislature

8) Plumbers Local #75 Dick Lansing, 9601 W. Silver Spring, Milwaukee, WI 53225 (414) 462-7810

Subjects: Any matter affecting the company in any way by any state agency or the legislature

9) Skipper Marine Mike Pretasky/Bob Wohlrahe, 1919 S. Marina Dr., Milwaukee, WI 53207 (414) 482-0900

Subjects: Any matter affecting the company in any way by any state agency or the legislature

10) Starlite Kennel Club Steve Marcus/John Burke, N81 W12920 Leon Rd., Menomonee Falls, WI 53051 (414) 274-0530

Subjects: Any matter affecting the company in any way by any state agency or the legislature

11) WI Academy of Ophthalmology Robert Herzog, 850 Elm Grove Rd., Elm Grove, WI 53122 (414) 797-7878

Subjects: Any matter affecting the company in any way by any state agency or the legislature

Myron Mike Lotto, 4056 Glenmore Rd., Green Bay, WI 54311 (414) 336-6221

1) Green Bay Metropolitan Sewerage District Paul E. Thormodsgard, 2231 N. Quincy St., Green Bay, WI 54302 (414) 432-4893

Subjects: Wastewater management and environmental issues

Robert A. Mankivsky, 1557 Coloma Ct., Wheaton, IL 60187 (708) 510-0659

1) Golden Rule Insurance Co. John Siefert, 7440 Woodland Dr., Indianapolis, In 46278-1719 (317) 297-4123

Subjects: Assembly Bill 766 relating to insurance coverage of HIV infection

Barry McNulty, 16 N. Carroll St., Madison, WI 53703 (608) 255-0566

1) TIFA Ltd., Arnold Livingston, 50 Division Ave., Millington, NJ 07946 (201) 647-4570
 Subjects: Any matter affecting the company in any way by any state agency or the legislature

Jeffrey J. Remsik, 2912 S. Delaware Ave., Milwaukee, WI 53207-2517 (414) 481-6237

1) Dairyland Greyhound Park, Inc., 812 N. 56th St., Kenosha, WI 53141 (414) 652-4488
 Subjects: All areas related to operations of pari-mutuel greyhound racing facility

Jo Anna Richard, 16 N. Carroll St., Madison, WI 53703 (608) 255-0566

1) TIFA Ltd., Arnold Livingston, 50 Division Ave., Millington, NJ 07946 (201) 647-4570
 Subjects: Any matter affecting the company in any way by any state agency or the legislature

Paul E. Sicula, 135 W. Wells, Ste. 604, Milwaukee, WI 53203 (414) 271-8100

1) Roy May, 4508 W. Montrose, Chicago, IL 60641 (312) 794-0850
 Subjects: Consumer affairs, criminal, penal and police, human rights

Elizabeth Wessel, 111 King St., Rm. 29, Madison, WI 53703 (608) 251-2804

1) Citizens for a Better Environment Susan Mudd, State Dir., 647 W. Virginia St., Ste. 303, Milwaukee, WI 53204 (414) 271-7280
 Subjects: Environmental, toxics, toxic use reduction

TERMINATION OF LOBBYIST LICENSES:

Dismas Becker terminated as of January 29, 1990 for WI University Union Madison Academic Staff et. al.

Eric C. Borgerding terminated as of January 30, 1990 for United Council of UW Student Governments.

Marlena Cannon terminated as of January 30, 1990 for American Telephone and Telegraph.

David J. Dean terminated as of January 30, 1990 for WI Federation of Teachers.

Mary K. Haffenbredl terminated as of January 26, 1990 for WI Specialized Transportation Assn.

Gail Humphreys terminated as of January 30, 1990 for Great Lakes Fish Co., Inc.

Bryan K. Koontz terminated as of January 30, 1990 for WI Bankers Assn.

Ronald W. Kuchn terminated as of January 30, 1990 for WI Veterinary Medical Assn.

Sybil H. Letzing terminated as of January 30, 1990 for WI Veterinary Medical Assn.

Thomas Lochner terminated as of January 30, 1990 for WI Farm Bureau Federation.

Alice O'Connor terminated as of January 30, 1990 for Blue Cross and Blue Shield United of WI.

William P. O'Connor terminated as of January 30, 1990 for Private Conservation Action Coalition.

Paul E. Sicula terminated as of January 31, 1990 for Paula Lawrence.

Burton A. Wagner terminated as of January 26, 1990 for WI Specialized Transportation Assn.

TERMINATION OF PRINCIPALS:

Crivello Properties terminated as of January 30, 1990.

International Council of Shopping Centers terminated as of January 29, 1990.

Lawrence, Paula terminated as of January 31, 1990.

Private Conservation Action Coalition terminated as of January 30, 1990.

WI Specialized Transportation Assn. terminated as of January 26, 1990.

WI University Union Madison Academic Staff et. al. terminated as of January 29, 1990.

PRINCIPALS STRICKEN FROM RECORD:

Conference of Retail Assn. stricken as of January 31, 1990.

First Boston Corp. stricken as of January 29, 1990.

National Assn. of Fundraising Ticket Manufacturers stricken as of January 26, 1990.

Physicians Mutual Insurance Co. stricken as of January 29, 1990.

WI Precast Concrete Assn. stricken as of January 30, 1990.

WI State Public Interest Research Group, Inc. stricken as of January 29, 1990.

AMENDMENT TO PRINCIPAL INFORMATION:

Principal: Brotherhood of Railroad Signalmen
 New Zip-Code: 60056-9048
 Lobbyist(s): Henry Gerth
 Date: January 31, 1990

Principal: Kenosha's Dairyland Greyhound Park
 New Name: Dairyland Greyhound Park, Inc.
 New Address: 812 56th St., Kenosha, WI 53140
 Lobbyist(s): Thomas Hanson
 Date: January 30, 1990

Principal: Steel Can Recycling Institute
 New Contact Person: Paul W. Hallman
 New Address: %300 N. Washington St., #300, Alexandria, VA 22314
 New Phone: (703) 684-1110
 Lobbyist(s): Peter Theo and Anthony Driessen
 Date: January 30, 1990

Principal: United Foundrymen of WI
 New Name: WI Cast Metals Assn.
 Lobbyist(s): Sharon Cook, David Krahn and Brian Mitchell
 Date: January 31, 1990

Principal: Video Software Dealers Assn.
 New Contact Person: Dean Kohnke
 New Address: 1601 E. Oklahoma Ave., Milwaukee, WI 53207

JOURNAL OF THE SENATE [February 13, 1990]

Lobbyist(s): Adrian Cohen
Date: January 30, 1990

Principal: WI Assn. for Counseling and Development
New Contact Person: Peg Olson, Pres.
New Address: 4216 Stratford Ct., Oneida, WI 54155
Date: January 30, 1990

Principal: WI Bankers Assn.
New Contact Person: Susan K. Linck, Exec. VP
New Address: 1 E. Main St.
Lobbyist(s): John E. Knight, Susan K. Linck and Michael R. Vaughan
Date: January 30, 1990

Principal: WI LP Gass Assn.
New Name: WI Propane Gas Assn.
New Address: 7515 Wayzata Blvd., #100, Minneapolis, MN 55426
Lobbyist(s): Lisa Hilbert and Chet Gerlach
Date: January 30, 1990

Sincerely,
DOUGLAS LAFOLLETTE
Secretary of State
State of Wisconsin
Claims Board

February 8, 1990

To the Honorable the Senate

Enclosed is the report of the State Claims Board covering claims heard on January 29, 1990.

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 January 29, 1990, upon the following claims:

Claimant	Amount
Douglas and Mary Ikeler	6,820.65
Milwaukee County Election Comm.	62,438.00
Dorothy Brode	8,168.60
Jan Eder	806.00
Marilyn Arneson	1,997.96
Susan Lulling	8,494.63

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

Timothy Jordan	119.00
William Brockman	84.00
Orris Boettcher	8,000.00
Thomas Parrott	49.95
Milton Ver Doot	180.00
Margaret Main	116.95
Patricia Peterson	156.37
Jackie Klar	58.46
Stephen Tuohy	142.00
Galen Brainerd	1,277.00
Alois Fischer	379.86
Ned Sahar	206.03
Kurt Larson	92.59
Connic LaVon Lee	35.00
Allan Kasprazak	168.19
Bonnie Landgraf	56.00
Grace Luhman	158.80
McKay Nursery Company	93.47
Janice Timm	68.00
Starlyn Minke	458.49
Debbie Gaunitz	178.00
Robert Grabarec	45.00
Gregory McRae	65.95
Michael Geer	180.63
Horace Stephens, Jr.	230.00
Alice Laubenstein	157.47
Raymond Cole	128.00
Larry Uhazie	551.14
Charles Locker	11,243.75

THE BOARD FINDS:

1. Douglas and Mary Ikeler of Caledoniam Wisconsin claim \$6,820.65 for damages allegedly incurred as a result of faulty installation of a roof on a home they purchased from the Department of Veterans Affairs in October, 1985. The Department of Veterans Affairs contracted for installation of a new roof and other repairs in order to comply with the contingencies set forth in a Veterans Administration appraisal of the property. In December, 1985, the new roof was installed and found to be satisfactory by the Federal Veterans Administration inspector. In July, 1986, water leaked through the roof damaging claimants' personal property. The Board concludes the claim should more appropriately be dealt with in court and therefore, denies payment of this claim so this matter may be litigated in court. (Member Wilker not participating).

2. Milwaukee County Election Commission claims \$62,438.00 for the cost of reprinting ballots for the November 8, 1988 general election in the cities of Shorewood and Milwaukee. On October 12, 1988, the Elections Board ordered claimant to cease printing its November, 1988 general election ballots because they did not comply with s. 5.64, Wis. Stats. The Elections Board determined that there was a likelihood electors would inadvertently neglect to cast their vote for President due to the design of the ballots. The notice to claimant that

its ballots were defective and would have to be reprinted was less than 28 days before the November 8 election, after a substantial portion of the ballots had already been printed. The Board recommends the claim be paid in the reduced amount of \$50,119.00, which represents the actual cost to claimant for the destroyed ballots. The Board also recommends payment of claims from other similarly affected counties, upon submission of appropriate documentation from those counties. The Board further recommends under the authority of s. 16.007(6m), Stats., the claims should be paid from the Claims Board appropriation s. 20.505(4)(d), Stats.

3. Dorothy Brode of Brookfield, Wisconsin, claims \$8,168.60 for replacement cost of her vehicle and loss of income allegedly incurred when her vehicle was damaged by a tree limb at the State Fair Park in West Allis on July 27, 1989. During a storm with winds up to 45 mph, the tree limb fell on top of claimant's car while it was parked at the Fair, totaling the vehicle. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

4. Jan Eder of Whitefish Bay, Wisconsin, claims \$806.00 as the amount charged to his bank account for a state AFDC check on which the state had stopped payment. In August, 1986, claimant's tenant, Helen Ensley, gave claimant her AFDC check in the amount of \$806 for payment of rent. When claimant cashed the check, he returned \$356 to Ms. Ensley and kept \$450 for rent. The state stopped payment on the check because Ms. Ensley filled out an affidavit that the check was lost. As a result, claimant's bank account was charged \$806. In September, 1989, claimant was reimbursed \$450 from the Department of Health and Social Services. The Board concludes the claim should be paid in the reduced amount of \$356.00, based on equitable principles. The Board further concludes under authority of s. 16.007(6m), Stats., payment should be made from the Department of Health and Social Services appropriation s. 20.435(6)(a), Stats.

5. Marilyn Arneson of Barneveld, Wisconsin, claims \$1,997.96 for the difference between wages earned and the amount she would have earned if her position had been reclassified to a Management Information Technician 2 (MIT-2) from April 20, 1988 to the present. Claimant is employed as a Typesetting System Input Operator 2 (TSIO-2) in the Duplicating Services Unit at the University of Wisconsin-Extension. Claimant contends that other individuals doing substantially equivalent work are classified as MITs-2 and are paid at a higher rate. In April, 1988, claimant requested reclassification of her position. The Department of Employment Relations reviewed claimant's position and determined, based on existing classification plans, her position was correctly classified and denied the reclassification request on November 9, 1988. Claimant appealed the decision to the Personnel Commission,

which sustained the action of the Department of Employment Relations on technical grounds, although noting an apparent inequity in the situation. 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.

6. Susan Lulling of Waunakee, Wisconsin, claims \$8,494.63 for the difference between wages earned and the amount she would have earned if her position had been reclassified to a Management Information Technician 3 (MIT-3) from April 20, 1988 to the present. Claimant is employed as a Typesetting System Input Operator 2 (TSIO-2) in the Duplicating Services Unit at the University of Wisconsin-Extension. Claimant contends that other individuals doing substantially equivalent work are classified as MITs-2 and are paid at a higher rate. In April, 1988, claimant requested reclassification of her position. The Department of Employment Relations reviewed claimant's position and determined, based on existing classification plans, her position was correctly classified and denied the reclassification request on November 9, 1988. Claimant appealed the decision to the Personnel Commission, which sustained the action of the Department of Employment Relations on technical grounds, although noting an apparent inequity in the situation. 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.

7. Timothy Jordan of Franklin, Wisconsin, claims \$119.00 for replacement of his eyeglasses allegedly damaged on August 1, 1989, at the State Fair Park. Claimant was unloading park benches from a trailer when one of the benches fell off the trailer hitting him in the face, smashing his eyeglasses. The damage occurred while claimant was engaged in his duties as a State Fair Park employe. The Board concludes the claim should be paid, based on equitable principles. The Board further concludes under the authority of s. 16.007(6m), Stats., payment should be made from the State Fair Park appropriation s. 20.115(5)(h), Stats.

8. William Brockman of Oak Creek, Wisconsin, claims \$84.00 for mileage, meals and a phone call allegedly resulting from the State Job Service's negligence in failing to inform him of a typing requirement when scheduling his interview for an Employment Security Assistant position in La Crosse. On July 26, 1989, claimant arrived at the La Crosse Job Service Office to interview for the position and was then informed that the job was a secretarial position requiring typing ability. Claimant was not qualified for the position and contends that if he had been advised of the typing requirement when Job Service informed him of the position, he would not have accepted the interview. The Board concludes the claim should be paid, based on

equitable principles. The Board further concludes under the authority of s. 16.007(6m), Stats., payment should be made from the Department of Industry, Labor and Human Relations appropriation s. 20.445(1)(ga), Stats.

9. Orris Boettcher of Middleton, Wisconsin, claims \$8,000.00 for military service credit benefits from July, 1980 to January, 1990. Claimant retired in June, 1980 and began receiving his retirement annuity on July 1, 1980. Claimant's retirement annuity was granted under the Wisconsin State Teachers Retirement System (STRS) which provided active military service credit only if teaching service was interrupted for military service and there was a return to employment covered by the STRS within 180 days of discharge. Claimant did not qualify for the credit of his active military service because he first began employment as a teacher under the STRS seven years after his discharge from the military service. As part of the merger of STRS into the Wisconsin Retirement System (WRS) on January 1, 1982, teachers became eligible for more liberal crediting of military service under s. 40.02(15), Stats. Claimant would have qualified for additional creditable service based on his military experience if he had remained employed and had retired on or after January 1, 1981. The statute in effect on the date claimant applied for an annuity from WRS did not permit the crediting of his active military service. 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. Thomas Parrott of Stratford, Wisconsin, claims \$49.95 for replacement cost of his Ray-Ban sunglasses allegedly lost on July 26, 1989, while he was on duty as a trooper for the Wisconsin State Patrol. Claimant laid his sunglasses on the passenger side front seat of his cruiser. When in pursuit of an individual for operating while under the influence, claimant's glasses slid off the front seat onto the door ledge on the floor. Claimant believes the glasses fell out of the cruiser when he placed the individual he was arresting into the cruiser. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

11. Milton Ver Doot of Green Bay, Wisconsin, claims \$180.00 for attorney fees and mileage, allegedly incurred as a result of a citation he received on February 28, 1989, for improper registration of his vehicle. Claimant had stopped his vehicle on Interstate 90-94 to check for a flat tire. A state patrol car stopped to see if claimant needed assistance. The trooper noticed claimant's vehicle had auto plates but contained only two front bucket seats and therefore, should have been registered as a truck. The trooper issued a citation to claimant for this violation. Claimant retained an attorney and as a result of a plea agreement with the court, the charge was dismissed after claimant re-

registered his van with truck plates. 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.

12. Margaret Main of Mena, Arkansas, claims \$116.95 as the difference between her real estate taxes for 1987 and 1988, and the amount that would have been due if her land in Washburn County, Wisconsin, had been properly entered under the Managed Forest Law program (MFL). Due to a data entry error by the Department of Natural Resources, the original MFL order erroneously omitted five acres of eligible land for which an application had been made. Although the error has now been corrected, it resulted in claimant's overpayment of taxes for the years 1987 and 1988. The Board concludes the claim should be paid in the reduced amount of \$91.06. The Board further concludes under the authority of s. 16.007(6m), Stats., payment should be made from the Department of Natural Resources appropriation s. 20.370(1)(mu), Stats.

13. Patricia Peterson of Green Bay, Wisconsin, claims \$156.37 for medical expenses incurred as a result of an injury she allegedly sustained on May 6, 1989, when she fell at the Heritage Hill State Park. Claimant injured her knee when she slipped and fell on some gravel on a road in the park. Section 895.52, Stats., limits liability for damages resulting from the use of state-owned recreational facilities under these circumstances in the absence of the showing of a malicious act or malicious failure to warn of a known unsafe 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.

14. Jackie Klar of Cuba City, Wisconsin, claims \$58.46 for replacement of her eyeglasses, allegedly damaged while she was employed as a work-study student at the Yellowstone State Park in August, 1989. The glasses were damaged when they fell off the top of a pick-up truck where claimant had placed them. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

15. Steven Tuohy of Chisholm, Minnesota, claims \$142.00, plus interest, for his 1985 income tax refund which was retained by the Wisconsin Department of Revenue and applied to estimated tax assessments for the years 1981, 1982 and 1983. In June, 1988, claimant provided information to the Department of Revenue to prove that no income tax liability existed for 1981 through 1983, because he was a New York domiciliary, on active duty with the Coast Guard while residing in Wisconsin and therefore, exempt from Wisconsin income

taxes received from the Coast Guard. The Board concludes the claim should be paid in the amount of \$142.00 based on equitable principles. The Board further concluded under authority of s. 16.007(6m), Stats., payment should be made from the Claims Board appropriation s. 20.505(4)(d), Stats.

16. Galen Brainerd of Bruce, Wisconsin, claims \$1,277.00 for reimbursement of his 1975, 1984, 1985, 1986 and 1987 tax refunds withheld by the Department of Revenue for an estimated assessment issued to him in September 1975, for failure to file tax returns for 1972 and 1973. On February 24, 1989, claimant filed his tax returns for 1972 and 1973 which indicated a tax liability of \$143.20 plus interest. A claim for refund must be filed with the Department of Revenue within two years after the assessment pursuant to s. 71.75(5), Stats. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

17. Alois Fischer of Appleton, Wisconsin, claims \$379.86 as payment of witness fees for his appearance at a John Doe proceeding in Dane County Circuit Court in 1984. Department of Revenue tax agents, Dennis Ullman and Charles Wnukowski, served subpoenas on claimant ordering him to appear at the John Doe hearings on February 3, 1984 and May 16, 1984. Claimant appeared as ordered. The Doe investigation resulted in criminal tax charges filed against Diane Wickstrom. Claimant contends he should be reimbursed for his lost wages, mileage and meals for his appearance. If claimant had made proper application for witness fees, he would have been reimbursed at the rate provided by s. 814.67(1), Stats. Tax agents Ullman and Wnukowski were at all times performing their official duties as agents of the Wisconsin Department of Revenue in accordance with the John Doe Access Order. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

18. Nadim Sahar of New Berlin, Wisconsin, claims \$206.03 for damages to his automobile allegedly incurred on October 2, 1989, when entering the parking lot at the Milwaukee State Office Building. Claimant attempted to turn into the lot when a garbage truck was exiting. The parking lot gate was in the up position, so claimant started to drive through. At the same time, the garbage truck started to back up to let claimant into the lot. The gate came down on top of claimant's vehicle because he did not use his access card, since the truck was blocking the card reader. 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. (Member Wilker not participating)

19. Kurt Larson of Sun Prairie, Wisconsin, claims \$92.59 for replacement of his car window allegedly damaged on November 6, 1989, by an unknown person while the vehicle was parked in the Department of Administration Central Printing lot at 202 South Thornton Avenue, Madison, where claimant is employed. When claimant returned to his vehicle after work, he discovered the passenger side window had been smashed. 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.

20. Connie LaVon Lee of La Crosse, Wisconsin, claims \$35.00 for replacement of her blouse allegedly damaged on November 3, 1989, at a Department of Transportation office in La Crosse. As claimant walked out of an office, the sleeve on her blouse became caught on a piece of tile protruding from the wall. The Building Superintendent has corrected the problem. The Board concludes the claim should be paid based on equitable principles. The Board further concluded under authority of s. 16.007(6m), Stats., payment should be made from the Department of Administration appropriation s. 20.505(5)(ka), Stats.

21. Allan Kasprzak of Milwaukee, Wisconsin, claims \$168.19 for replacement cost of his car antenna allegedly damaged on October 5, 1989, by the gate at the entrance of the Milwaukee State Office building parking lot. The timing on a relay switch was incorrectly set causing the gate to stay in the up position after a carded sequence was completed. Claimant assumed the gate was locked open, however, as he drove into the lot, the gate came down on top of his car. The timing on the relay switch has been corrected and the card reader system is now functioning properly. The Board concludes the claim should be paid based on equitable principles. The Board further concluded under authority of s. 16.007(6m), Stats., payment should be made from the Department of Administration appropriation s. 20.505(5)(ka), Stats.

22. Bonnie Landgraf of Madison, Wisconsin, claims \$56.00 for replacement of two skirts allegedly damaged while they were in the trunk of a state vehicle she was using on August 7-11, 1989. Claimant alleges that a mouse or similar creature in the trunk of the state vehicle chewed holes in her garment bag and clothing. The Department of Administration Fleet manager inspected the vehicle and did not find a mouse or anything else, but did notice holes in the trunk mat. 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.

23. Grace Luhman of Goodhue, Minnesota, claims \$158.80 for medical expenses allegedly resulting from an injury she sustained on April 3, 1989, during a metals

class at the University of Wisconsin-River Falls. After claimant turned on the power for a hacksaw, the machine came forward and cut her thumb. 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.

24. McKay Nursery Company of Waterloo, Wisconsin, claims \$93.47 for repairing a video player and T.V. monitor, allegedly damaged while plugged into a temporary electrical outlet at the University of Wisconsin-Madison Stock Pavilion on September 12, 1989. Claimant was participating in the Agricultural and Life Science Career Day Show and was using the temporary outlet when a connection in the power supply cord became loose causing voltage fluctuations. The voltage fluctuations damaged claimant's appliances. 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.

25. Janice Timm of Irma, Wisconsin, claims \$68.00 for replacement of a baseball glove and batting glove allegedly stolen by an unknown person from the women's locker room at the University of Wisconsin-River Falls. Claimant kept her sports equipment in an assigned locker in the women's locker room. During the weekend of December 2, 1988, the women's locker room was used by a visiting wrestling team. Sometime during the weekend, the locker was broken into and claimant's personal belongings were stolen. 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.

26. Starlyn Minke of River Falls, Wisconsin, claims \$458.49 for replacement of sports equipment allegedly stolen by an unknown person from the women's locker room at the University of Wisconsin-River Falls. Claimant kept her sports equipment in an assigned locker in the women's locker room. During the weekend of December 2, 1988, the women's locker was used by a visiting wrestling team. Sometime during the weekend, the locker was broken into and claimant's personal belongings were stolen. 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.

27. Debbie Gaunitz of River Falls, Wisconsin, claims \$178.00 for replacement of her sports equipment allegedly stolen by an unknown person from the women's locker room at the University of Wisconsin-River Falls. Claimant kept her sports equipment in an

assigned locker in the women's locker room. During the weekend of December 2, 1988, the women's locker was used by a visiting wrestling team. Sometime during the weekend, the locker was broken into and claimant's personal belongings were stolen. 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.

28. Robert Grabarec of Waterford, Wisconsin, claims \$45.00 for replacement of his athletic shoes allegedly stolen by an unknown person from a locker in the maintenance building at the Southern Wisconsin Center on July 1, 1989. 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.

29. Gregory McRae of Racine, Wisconsin, claims \$65.95 for replacement of his athletic shoes allegedly stolen by an unknown person from a locker in the maintenance building at the Southern Wisconsin Center on July 1, 1989. 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.

30. Michael Geer of Stanley, Wisconsin, claims \$180.63 for replacement of his vehicle windshield allegedly damaged by a rock thrown from a lawn mower being operated by a maintenance employe at the Northern Wisconsin Center on June 2, 1989. The total amount claimed has been paid by claimant's insurance company, General Casualty Company. Consistent with the long-standing policy of this Board concerning subrogation claims, 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.

31. Horace Stephens, Jr. of Plymouth, Wisconsin, claims \$230.00 for replacement of a plastic decanter, cassette tapes and a gold diamond ring allegedly lost when he was transferred from the Marshall E. Sherrer Correctional Center to the Kettle Moraine Correctional Institution (KMCI) on January 14, 1986. The Institution's property inventory records indicate that one pitcher and five tapes were inventoried upon claimant's admission to KMCI in January, 1986. The KMCI Handbook states that an inmate should not have any item of jewelry worth more than \$75 and that the Institution is not responsible for any item worth more than \$75. Claimant signed a statement absolving KMCI of responsibility for any article worth more than \$75.

The Board concludes the claim should be paid in the reduced amount of \$75.00 based on equitable principles. The Board further concluded under authority of s. 16.007(6m), Stats., payment should be made from the Department of Health and Social Services appropriation s. 20.410(1)(a), Stats.

32. Alice Laubenstein of Kewaskum, Wisconsin, claims \$157.47 for replacement of her coat allegedly stolen from the Southern Wisconsin Center, where she was attending a conference on October 6, 1989. 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.

33. Raymond Cole of Union Grove, Wisconsin, claims \$128.00 as the amount of money allegedly stolen by a resident of the Southern Wisconsin Center, where claimant is employed. On August 25, 1989, claimant left his wallet containing \$200, on the seat of his unoccupied truck; a resident of the Center allegedly took the wallet. The wallet and \$72 was later returned to claimant. 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.

34. Larry Uhazie of Waupun, Wisconsin, claims \$551.14 for reimbursement of 12 days wages and reinstatement of vacation, holiday and sick leave benefits under s. 230.36, Stats., while he was recovering from an injury. Claimant is employed as a correctional officer at the Dodge Correctional Institution and injured his knee while attending an authorized SWAT training session on July 14, 1989. Participation in training activities is not a hazardous duty specified for coverage under s. 230.36(3)(c), Stats. The current agreement with the Wisconsin State Employees Union for represented employees expands hazardous duty pay to include injuries sustained during "crowd control, self-defense or riot training activities." If claimant were a represented employee, he could rely on that contract language to claim hazardous duty pay. The Board concludes the claim should be paid in the reduced amount of \$100.00 based on equitable principles. The Board further concluded under authority of s. 16.007(6m), Stats., payment should be made from the Department of Health and Social Services appropriation s. 20.410(1)(a), Stats.

In addition, the following claim was scheduled for request for rehearing:

35. The Claims Board originally heard the claim of Charles Locker on November 13, 1989, which claim was denied. Claimant has now petitioned the Board for reconsideration of his claim in the amount of \$11,243.75 for refund of sales taxes incorrectly paid to the state in 1983 and 1984. Claimant's accountant erroneously calculated 5% sales taxes on its wire-in floral sales from 1983 to 1988. On November 18, 1988, claimant filed

amended sales tax returns, requesting a refund of \$34,236.56. Claimant's refund requests for 1984 through 1988 were verified and allowed; however, fiscal years 1983 and 1984 were closed to adjustment pursuant to the four-year statute of limitations under s. 77.59(4), Wis. Stats. The Board concludes that the petition for rehearing should be denied.

THE BOARD CONCLUDES:

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

Douglas and Mary Ikler	Bonnie Landgraf
Dorothy Brode	Grace Luhman
Marilyn Arneson	McKay Nursery Company
Susan Lulling	Janice Timm
Orris Boettcher	Starlyn Minke
Thomas Parrott	Debbie Gaunitz
Milton Ver Doot	Robert Grabarec
Patricia Peterson	Gregory McRae
Jackie Klar	Michael Geer
Galen Brainerd	Alice Laubenstein
Alois Fischer	Raymond Cole
Ned Sahar	Charles Locker
Kurt Larson	

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

Jan Eder	\$356.00
Timothy Jordan	\$119.00
William Brockman	\$84.00
Margaret Main	\$91.06
Stephen Tuohy	\$142.00
Connie LaVon Lee	\$35.00
Allan Kasprzak	\$168.79
Horace Stephens, Jr.	\$75.00
Larry Uhazie	\$100.00

THE BOARD RECOMMENDS:

1. Payment of \$50,119.00 to Milwaukee County Election Commission for the cost of the November, 1988 general election ballots destroyed at the request of the State Elections Board because the ballots did not comply with s. 5.64, Wis. Stats. The Board further recommends payment of claims by other similarly affected counties upon submission of appropriate documentation from those counties.

Dated at Madison, Wisconsin this 5th day of February, 1990.

GARY R. GEORGE
Senate Finance Committee

RAYMOND P. TAFFORA
Representative of Governor

EDWARD D. MAIN
Representative of Secretary of
Administration

WILLIAM H. WILKER
Representative of Attorney
General

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

February 1, 1990

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint NED W. BECHTHOLD of Waukesha, as a member of the Bradley Center Sports and Entertainment Corporation pursuant to the statute governing, to serve for the interim term ending July 1, 1990 and for the full term ending July 1, 1997.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Housing, Government Operations and Cultural Affairs.

State of Wisconsin
Office of the Governor

February 1, 1990

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JANE CARITY of Wauwatosa, as a member of the Bradley Center Sports and Entertainment Corporation pursuant to the statute governing, to serve for the interim term ending July 1, 1992.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Housing, Government Operations and Cultural Affairs.

State of Wisconsin
Office of the Governor

February 1, 1990

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ERNEST HENDRICKS of Milwaukee, as a member of the Bradley Center Sports and Entertainment Corporation pursuant to the statute governing, to serve for the interim term ending July 1, 1995.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Housing, Government Operations and Cultural Affairs.

State of Wisconsin
Office of the Governor

February 1, 1990

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CHARLES JACOBUS of Milwaukee, as a member of the Bradley Center Sports and Entertainment Corporation pursuant

to the statute governing, to serve for the interim term ending July 1, 1995.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Housing, Government Operations and Cultural Affairs.

State of Wisconsin
Office of the Governor

February 1, 1990

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ESSIE WHITELAW of Milwaukee, as a member of the Bradley Center Sports and Entertainment Corporation pursuant to the statute governing, to serve for the interim term ending July 1, 1990 and for the full term ending July 1, 1997.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Housing, Government Operations and Cultural Affairs.

State of Wisconsin
Office of the Governor

February 7, 1990

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SHELDON HANSON of Pardeeville, as a member of the Barbering and Cosmetology Examining Board pursuant to the statute governing, to serve for the interim term ending July 1, 1993.

Respectfully,
TOMMY THOMPSON
Governor

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

State of Wisconsin
Office of the Governor

February 7, 1990

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MICHAEL G. POJA of Milwaukee, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1994.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Housing, Government Operations and Cultural Affairs.

State of Wisconsin
Office of the Governor

February 8, 1990

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GEORGE W.

WHITTOW of Milwaukee, as a member of the Bradley Center Sports and Entertainment Corporation pursuant to the statute governing, to serve for the interim term ending July 1, 1992.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Housing, Government Operations and Cultural Affairs.

State of Wisconsin
Office of the Governor

February 9, 1990

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROGER D. BIDDICK of Livingston, as a member of the Wisconsin Judicial Commission pursuant to the statute governing, to serve for the term ending August 1, 1993.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Judiciary and Consumer Affairs.

CALENDAR OF FEBRUARY 13, 1990

Senator Helbach, with unanimous consent, asked that the appointments be taken up en masse.

CASTLE, MICHAEL J., of Oshkosh, as a member of the Wisconsin Waterways Commission, to serve for the term ending March 1, 1995.

ROONEY, JAMES F., of Racine, as a member of the Waterways Commission, to serve for the term ending March 1, 1994.

STEVENSON, PAUL, of Winneconne, as a member of the Fox River Management Commission, to serve for the interim term ending March 1, 1992.

Read.

The question was: Confirmation of the appointments?

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

Ayes - Senators Adelman, Andrea, Barrett, Berndt, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Farrow, Feingold, George, Helbach, Kincaid, Kreul, Lasec, Lcean, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden -- 32.

Noes - None.

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

Confirmed.

SENATE CLEARINGHOUSE ORDERS

State of Wisconsin
Revisor of Statutes Bureau

February 1, 1990

To the Honorable the Legislature:

The following rules have been published and are effective:

Clearinghouse Rule 88-19 effective February 1, 1990.

Clearinghouse Rule 88-198 effective February 1, 1990.

Clearinghouse Rule 89-14 effective February 1, 1990.

Clearinghouse Rule 89-97 effective February 1, 1990.

Clearinghouse Rule 89-116 effective February 1, 1990.

Clearinghouse Rule 89-139 effective February 1, 1990.

Clearinghouse Rule 89-145 effective February 1, 1990.

Sincerely,
GARY L. POULSON
Assistant Revisor

Senate Clearinghouse Rule 89-151

Relating to definitions, examination review procedures, examination fees, unprofessional conduct and defining lens prescriptions.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 8, 1990.

Referred to committee on Agriculture, Corrections, Health and Human Services, February 13, 1990.

Senate Clearinghouse Rule 89-165

Relating to certification of audiologists and covered audiology and hearing aid services under the medical assistance program.

Submitted by Department of Health and Social Services.

Report received from agency, February 8, 1990.

Referred to committee on Agriculture, Corrections, Health and Human Services, February 13, 1990.

MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

Assembly Bill 246

Assembly Bill 503

Assembly Bill 522

Assembly Bill 541

Assembly Bill 609

Assembly Bill 622

Assembly Bill 710
Assembly Bill 723
Assembly Bill 730

Concurred in:

Assembly Bill 16, Senate amendment 1
Assembly Bill 298, Senate amendments 1 and 2
Assembly Bill 400, Senate amendment 1
Assembly Bill 461, Senate amendment 1

Amended and concurred in as amended:

Senate Bill 329, Assembly amendment 1

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Bill 246

Relating to the penalties imposed on owners of dogs that cause injury or damage.

By Representatives Musser, Medinger, Boyle, Lehman, Brancel and Schmidt.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 503

An act relating to requiring the department of public instruction to study educational programming in secured correctional facilities and child caring institutions.

By Legislative Council.

Read first time and referred to committee on Agriculture, Corrections, Health and Human Services.

Assembly Bill 522

Relating to allowing state employees, and certain local government employees, who are eligible for a disability annuity to avoid delay of the start of the annuity by converting accumulated unused sick leave to credits for the payment of health insurance premiums.

By Representatives Grobschmidt, Volk and Hamilton, cosponsored by Senators Jauch and Stitt, by request of Retirement Research Committee.

Read first time and referred to committee on Housing, Government Operations and Cultural Affairs.

Assembly Bill 541

Relating to referendum ballot form.

By Representatives Wineke, Lorge, Plache, M. Coggs, Notestein, Roberts, Huber, Volk, Hamilton, Gruszynski, Grobschmidt, Musser, Turba, S. Coggs and Krug, cosponsored by Senators Kreul, Roshell, Moen and Czarnecki.

Read first time and referred to committee on Urban Affairs, Environmental Resources, Utilities and Elections.

Assembly Bill 609

Relating to referenda on the issuance of bonds by school districts.

By Representatives Brandemuehl, Harsdorf, Volk, Coleman, Turba, Zeuske, Grobschmidt, Van Gorden,

Goetsch, Duff, Brancel, Welch, Vergeront, Vanderperren, Schneiders, Lahn, Lehman, Lewis, Bolle, Lorge and Tregoning, cosponsored by Senators Kreul, Rude, Leraan and Farrow.

Read first time and referred to committee on Educational Financing, Higher Education and Tourism.

Assembly Bill 622

Relating to child abuse and neglect reporting requirements.

By Representatives Bell, Young, Panzer, Clarenbach, Boyle, Van Dreel, Huelsman and S. Coggs, cosponsored by Senators Chvala, Strohl, George, Helbach, Feingold and Moen.

Read first time and referred to committee on Agriculture, Corrections, Health and Human Services.

Assembly Bill 710

Relating to creating a Dane county lakes and watershed commission, authorizing a tax and granting rule-making authority.

By Representatives Clarenbach, Black, Young, Loftus, Travis and Wineke, cosponsored by Senators Risser and Chvala, by request of Dane County.

Read first time and referred to committee on Urban Affairs, Environmental Resources, Utilities and Elections.

Assembly Bill 723

Relating to designating a portion of the Rock river a scenic urban waterway.

By Representatives Robson, Wood, Deininger, Seery, Black, Bell, Krusick, Huber, Wineke, Fortis, R. Potter, Swoboda, Carpenter, Kunicki, Barca, Van Dreel, Hinkfuss, Barrett, Stower, Plache, Notestein, Bock and Linton, cosponsored by Senators Chvala, Weeden, Risser, Strohl, Feingold, Andrea and Burke.

Read first time and referred to committee on Urban Affairs, Environmental Resources, Utilities and Elections.

Assembly Bill 730

Relating to various changes to the statutes pertaining to public library systems.

By Representatives C. Potter, Grobschmidt, Larson, Lautenschlager, Roberts, Brandemuehl and Rosenzweig, cosponsored by Senators Andrea and Feingold.

Read first time and referred to committee on Education, Economic Development, Financial Institutions and Fiscal Policies.

CALENDAR OF FEBRUARY 8, 1990

Senate Bill 218

Relating to records of executive action upon legislation.

Read a third time and passed.

SECOND READING AND AMENDMENTS
OF SENATE JOINT RESOLUTIONS AND
SENATE BILLS

CALENDAR OF FEBRUARY 13, 1990

Senate Bill 117

Relating to creating a learning assistance grant program, giving priority in the awarding of certain state and federal grants to programs that combine more than one type of educational service, granting rule-making authority and making an appropriation.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Senator George, with unanimous consent, asked that **Senate Bill 117** be referred to joint committee on Finance.

Senate Bill 234

Relating to the waiting period before tax liens may be foreclosed in actions in rem.

Read a second time.

Ordered to a third reading.

Senator Helbach, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 234

Read a third time and passed.

Senate Bill 252

Relating to the regulation of cemeteries, sales of cemetery lots, merchandise and mausoleum spaces, granting rule-making authority, providing a penalty and making an appropriation.

Read a second time.

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

Senator George, with unanimous consent, asked that **Senate Bill 252** be referred to joint committee on Finance.

Senator George, with unanimous consent, asked that **Senate Bill 252** be withdrawn from joint committee on Finance and taken up.

Read a second time.

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

Adopted.

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

Adopted.

Senate amendment 3 to senate substitute amendment 1 to **Senate Bill 252** offered by Senators Te Winkle and Davis.

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

Senator Helbach, with unanimous consent, asked that the rules be suspended and that the bill be considered for final action at this time.

Senate Bill 252

Read a third time.

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

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Farrow, Feingold, George, Helbach, Kincaid, Kreul, Lasee, Lekan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weedon — 32.

Noes — None.

Absent or not voting — Senator Jauch — 1.

Passed.

Senate Bill 298

Relating to eliminating vocational, technical and adult education nonresident tuition for Wisconsin residents and making an appropriation.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator George, with unanimous consent, asked that **Senate Bill 298** be referred to joint committee on Finance.

Senate Bill 326

Relating to the release of helium balloons and providing a penalty.

Read a second time.

Senate substitute amendment 1 to **Senate Bill 326** offered by Senators Farrow and Stitt.

The question was: Adoption of senate substitute amendment 1?

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 326** offered by Senator Davis.

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

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

JOURNAL OF THE SENATE [February 13, 1990]

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

The ayes and noes were demanded and the vote was: ayes, 6; noes, 26; absent or not voting, 1; as follows:

Ayes - Senators Buettner, Chilsen, Ellis, Kreul, Roshell and Rude -- 6.

Noes - Senators Adelman, Andrea, Barrett, Berndt, Burke, Chvala, Cowles, Czarnezki, Davis, Farrow, Feingold, George, Helbach, Kincaid, Lasee, Leean, Lorman, Moen, Plewa, Risser, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden -- 26.

Absent or not voting - Senator Jauch -- 1.

Rejection refused.

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the rules be suspended and that the bill be considered for final action at this time.

Senate Bill 326

Read a third time and passed.

Senate Bill 378

Relating to the licensure of teachers of the visually impaired and instruction in braille.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 378

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes - Senators Adelman, Andrea, Barrett, Berndt, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnezki, Davis, Ellis, Farrow, Feingold, George, Helbach, Kincaid, Kreul, Lasee, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden -- 31.

Noes - Senator Leean -- 1.

Absent or not voting - Senator Jauch -- 1.

Passed.

Senate Bill 382

Relating to ozone-depleting refrigerant, granting rule-making authority, providing penalties and making appropriations.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Senator George, with unanimous consent, asked that **Senate Bill 382** be referred to joint committee on Finance.

Senator George, with unanimous consent, asked that **Senate Bill 382** be withdrawn from joint committee on Finance and taken up.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

Senator George, with unanimous consent, asked that **Senate Bill 382** be placed at the foot of the calendar.

SECOND READING AND AMENDMENTS
OF ASSEMBLY JOINT RESOLUTIONS AND
ASSEMBLY BILLS

Assembly Bill 237

Relating to reimbursements to local agencies for expenses incurred in hazardous substance discharge responses.

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.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 237

Read a third time.

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

Ayes - Senators Adelman, Andrea, Barrett, Berndt, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnezki, Davis, Ellis, Farrow, Feingold, George, Helbach, Kincaid, Kreul, Lasee, Leean, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden -- 32.

Noes - None.

Absent or not voting - Senator Jauch -- 1.

Concurred in as amended.

Assembly Bill 316

Relating to issuance of a civil judgment for unpaid restitution.

Read a second time.

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

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 316

Read a third time and concurred in as amended.

Assembly Bill 332

Relating to the security required for warehouse keepers.

Read a second time.

Senate amendment 1 to **Assembly Bill 332** offered by Senator Stitt.

Senator Strohl, with unanimous consent, asked that Senator Jauch be granted a leave of absence until 11:00 A.M..

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

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the rules be suspended and that the bill be considered for final action at this time.

Assembly Bill 332

Read a third time and concurred in as amended.

Assembly Bill 431

Relating to including information on sexual assault in orientation programs for university of Wisconsin system and vocational, technical and adult education students.

Read a second time.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 431

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes — Senators Adelman, Andrea, Barrett, Berndt, Buechner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Farrow, Feingold, George, Helbach, Kincaid, Kreul, Lasee, Leean, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 31.

Noes — None.

Absent or not voting — Senators Ellis and Jauch — 2.

Concurred in.

Assembly Bill 437

Relating to instruction in public schools on sexual assault.

Read a second time.

Senate amendment 1 to **Assembly Bill 437** offered by Senators Andrea, Weeden, Chilsen and Roshell.

The question was: Adoption of senate amendment 1?

Senator Andrea, with unanimous consent, asked that senate amendment 1 be laid on the table.

Senate amendment 2 to **Assembly Bill 437** offered by Senators Ulichny and Andrea.

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

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 437

Read a third time and concurred in as amended.

Assembly Bill 446

Relating to cash deposits for defendants charged with crimes.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 446

Read a third time and concurred in as amended.

Assembly Bill 497

Relating to wild plants of endangered or threatened species.

Read a second time.

Senate amendment 1 to **Assembly Bill 497** offered by Senator Leean.

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

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 497

Read a third time and concurred in as amended.

Assembly Bill 506

Relating to providing remedial reading services to pupils.

Read a second time.

Senate amendment 1 to **Assembly Bill 506** offered by Senators Cowles, Andrea and Lasee.

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

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 506

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, Andrea, Barrett, Berndt, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Farrow, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lcean, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden -- 33.

Noes — None.

Absent or not voting — None.

Concurred in as amended.

Assembly Bill 548

Relating to aids in lieu of taxes on certain state land and making an appropriation.

Read a second time.

Senate substitute amendment 1 to **Assembly Bill 548** offered by Senator Feingold.

Senate amendment 1 to senate substitute amendment 1 to **Assembly Bill 548** offered by Senator Feingold.

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

Senator George, with unanimous consent, asked that **Assembly Bill 548** be referred to joint committee on Finance.

Assembly Bill 606

Relating to uniform traffic citations.

Read a second time.

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

Senate amendment 1 to senate amendment 2 to **Assembly Bill 606** offered by Senator Stitt.

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

Senator Adelman moved rejection of senate amendment 1 to senate amendment 2.

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

The ayes and noes were demanded and the vote was: ayes, 11; noes, 22; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Barrett, Burke, Chvala, Czarnecki, Feingold, George, Helbach, Jauch, Strohl and Weeden -- 11.

Noes — Senators Andrea, Berndt, Buettner, Chilsen, Cowles, Davis, Ellis, Farrow, Kincaid, Kreul, Lasee, Lcean, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Te Winkle, Ulichny and Van Sistine -- 22.

Absent or not voting — None.

Rejection refused.

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

Adopted.

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

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

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 606

Read a third time and concurred in as amended.

Senate Bill 382

Relating to ozone-depleting refrigerant, granting rule-making authority, providing penalties and making appropriations.

Read a second time.

Senator Strohl, with unanimous consent, asked that **Senate Bill 382** be laid on the table.

MOTIONS

Senator Farrow, with unanimous consent, asked that she be listed as a co-author of **Senate Bill 382**.

ADJOURNMENT

Senator Strohl, with unanimous consent, asked that all action be ordered immediately messaged.

Senator Strohl, with unanimous consent, asked that the Senate adjourn until 10:00 A.M. Thursday, February 15.

11:18 A.M.

AMENDMENTS OFFERED

Senate amendment 1 to **Assembly Bill 35** offered by Senator Andrea.

Senate substitute amendment 1 to **Senate Bill 408** offered by Senators Van Sistine, Kincaid, Roshell, Andrea, Helbach, Moen, Kreul, Rude, Ellis, Farrow, Chvala, Jauch, Buettner, Cowles, Berndt, Plewa and Lorman.

At the request of the National Association of Black Veterans, Women's Army Corps Veterans Organization, United Women Veterans, Federation of Minority Veterans, Wisconsin Council on Veterans Programs, Disabled American Veterans, American Legion, Veterans of Foreign Wars, County Veterans Service Officers Association, Vietnam Veterans of America, Wisconsin Association of Concerned Veterans Organizations, AMVETS, Jewish War Veterans, Marine Corps League, Military Order of the Purple Heart, Navy Clubs of the USA, American Ex POW's, Catholic War Veterans, Polish Legion of American Veterans, and the Army Navy Union.

Senate amendment 1 to **Assembly Bill 305** offered by Senator Weeden.

Senate amendment 2 to **Assembly Bill 305** offered by Senator Weeden.

Senate amendment 3 to **Assembly Bill 305** offered by Senator Weeden.

Senate amendment 4 to **Assembly Bill 305** offered by Senator Weeden.

Senate amendment 5 to **Assembly Bill 305** offered by Senator Weeden.