



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Third Regular Session

10:00 A.M.

TUESDAY, September 9, 1997

The Senate met.

The Senate was called to order by Senator Fred Risser.

The Chair, with unanimous consent, asked that the proper entries be made in the journal.

### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

#### Senate Bill 289

Relating to: immunity in cases involving wrongful birth and wrongful life.

By Senators Welch, Schultz, Drzewiecki, Zien, Roessler, Fitzgerald, A. Lasee and Farrow; cosponsored by Representatives Green, Duff, Grothman, Urban, Goetsch, Musser, Nass, M. Lehman, Lazich, Otte, Seratti, Ott, Albers, Powers and Kedzie.

To committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

### REPORT OF COMMITTEES

The committee on **Education** reports and recommends:

CAULKINS, JENNA H., of Madison, as a member of the Wisconsin Technical College System Board, to serve for the term ending May 1, 1999.

Confirmation.

Ayes, 7 – Senators C. Potter, Jauch, Shibilski, Grobschmidt, Darling, Huelsman and Roessler.  
Noes, 0 – None.

MARCOVICH, TOBY E., of Superior, as a member of the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 2004.

Confirmation.

Ayes, 7 – Senators C. Potter, Jauch, Shibilski, Grobschmidt, Darling, Huelsman and Roessler.  
Noes, 0 – None.

Calvin Potter  
Chairperson

The committee on **Health, Human Services, Aging, Corrections, Veterans and Military Affairs** reports and recommends:

#### Assembly Bill 108

Relating to: national guard tuition grants.

Concurrence.

Ayes, 7 – Senators Moen, Breske, Moore, Wirch, Roessler, Rosenzweig and Fitzgerald.

Noes, 0 – None.

Rodney Moen  
Chairperson

### PETITIONS AND COMMUNICATIONS

#### State of Wisconsin

#### Department of Natural Resources

September 2, 1997

The Honorable, The Legislature:

In 1997 Assembly Bill 61 (Wisconsin Act 1), the Department of Natural Resources was directed to, before September 1, 1997, submit a report that analyzes options for increased integration of private fish hatchery operations in the state fish stocking program, to the governor, to the joint committee on finance, and to the chief clerk of each house, for distribution to the appropriate standing committees.

This constitutes our response to the mandate contained in Wisconsin Act 1.

Sincerely,

GEORGE MEYER

Secretary

Referred to the committee on **Agriculture and Environmental Resources**

#### State of Wisconsin

#### Office of Justice Assistance

July 28, 1997

The Honorable, The Legislature:

As the Chair of the Governor's Juvenile Justice Commission and Executive Director of the Office of Justice Assistance, we are pleased to submit the attached Progress Report that describes the calendar year 1996 occurrences and activities that were associated with the Commission's administration of Wisconsin's 1994–1996 Juvenile Justice Plan. Highlights include the following:

\* Federal Juvenile Justice & Delinquency Prevention Act (JJDPA) subgrants were awarded to more than 20 projects, including non-secure alternatives to detention, early intervention services, serious/violent offender services, and juvenile justice system improvements.

\* The number of secure detention beds statewide increased from 362 to 500 beds. The new detention centers in Milwaukee

and Racine Counties, which began operation in 1996, were the primary contributors to this increase.

\* Despite the increased number of detention beds, counties throughout Wisconsin, particularly in the northern and western regions, continued to experience difficulty procuring bedspace, especially on Fridays and weekends. This evidences a continuing need for additional beds in those regions.

\*The number of out-of-compliance jail detentions continued to remain very low, enabling Wisconsin to maintain compliance with the juvenile jail removal provisions under the federal JJDA.

\* In July 1996, the Governor's Juvenile Justice Commission approved the University of Wisconsin-Milwaukee Study which examined juvenile justice decisionmaking within five counties to determine what factors contributed to the overrepresentation of minority youth within those juvenile justice systems. The results and recommendations from the Study were incorporated into the Commission's action plan for reducing minority overrepresentation.

\* Nine local units of government received Title V Delinquency Prevention Act funds to implement programs and services pursuant to local delinquency prevention plans. Also, Challenge Activities Program Grant funds were awarded to implement intensive supervision programs in 6-10 counties, provide aftercare services for "graduates" of the juvenile bootcamp program, and to develop transitional education programs and mental health services for juveniles returning to their communities after completing correctional placements.

\* The Office of Justice Assistance collaborated with other state agencies and technical colleges in organizing and holding five regional focus groups designed to explore problems and needs in the criminal justice, juvenile justice and alcohol/drug abuse prevention systems. One-hundred fifty-eight local practitioners from around the state participated in these focus groups, providing the State with valuable information concerning system needs.

The Commission and Office of Justice Assistance are proud of the accomplishments of numerous local and state juvenile justice and law enforcement agencies, as well as the other parties affiliated with the many community-based planning efforts. We look forward to continuing to provide funding for effective and diverse programs. The Commission will continue its efforts to promote early intervention services for children committing minor offences, address serious and violent offender needs, and meet the demand for secure and nonsecure detention services.

Sincerely,

KATHLEEN M. ARTHUR, CHAIR  
Governor's Juvenile Justice Commission

**State of Wisconsin  
Department of Agriculture, Trade and Consumer  
Protection**

August 27, 1997

The Honorable, The Senate:

[1991 Wisconsin Act 273](#) created section 1.11(2)(j), Wis. Stats., which requires the submittal of an annual report to the chief clerk of each house of the Legislature by September 15 regarding the preparation of environmental assessments and environmental impact statements.

I am submitting the attached reports prepared by the Department of Agriculture, Trade and Consumer Protection for both fiscal year 1996 and fiscal year 1997 to comply with this requirement.

Please contact Buzz Davis of my staff at 224-4593 if there are any questions regarding the report.

Sincerely,

JOSEPH E. TREGONING  
Acting Secretary

**State of Wisconsin  
Office of the Commissioner of Insurance**

August 22, 1997

The Honorable, The Senate:

I am pleased to submit the 128th Wisconsin Insurance Report (Report). The Report provides information in the operations of both the Wisconsin insurance industry and the Office of the Commissioner of Insurance (OCI).

Numerous accomplishments were achieved over the past year: here are just a few highlights:

\* Announced a record-setting settlement with Prudential Insurance Company of America for improper sales and marketing practices in the life insurance industry:

\* Expanded OCI's urban outreach project to include:

\* A summer intern project

\* Providing training to consumer groups in cooperation with the Community Insurance Information Center

\* Conducting urban outreach meetings with insurers and community groups

\* Developed quarterly financial statement summaries and enhanced the financial information of health maintenance organizations (HMOs) available on OCI's Web site on the Internet;

\* Implemented amendments to administrative rules on allowing the sale of tax-qualified long-term care insurance policies sold in Wisconsin, permitting investments for town mutual insurers; creating a network of providers for the Health Insurance Risk-Sharing Plan; adopting supplemental risk-based capital and surplus requirements; and establishing fees for the Patients Compensation Fund;

\* Implemented a health plan performance measures demonstration projection.

I hope this information is useful to you and your constituents. If you have any questions or comments about the material, do not hesitate to contact me.

Sincerely,

JOSEPHINE W. MUSSER  
Commissioner of Insurance

**State of Wisconsin  
Ethics Board**

September 2, 1997

To the Honorable the Senate:

At the direction of s. [13.685\(7\)](#), *Wisconsin Statutes*, I am furnishing you with the names of organizations recently registered with the Ethics Board that employ one or more individuals to affect state legislation or administrative rules, and notifying you of changes in the Ethics Board's records of licensed lobbyists and their employers. For each recently registered organization I have included the organization's description of the general area of legislative or administrative action that it attempts to influence and the name of each licensed lobbyist that the organization has authorized to act on its behalf.

**Organization's authorization of additional lobbyists:**

The following organizations previously registered with the Ethics Board have authorized to act on their behalf these additional licensed lobbyists:

**Education Assn Council, Wisconsin**

Krahn, Don

**Fair Competition, Wisconsin Coalition for**

Wiley, Lawrence A

**Termination of lobbying authorizations:**

The following individuals are no longer authorized to lobby on behalf of the organizations listed below, as of the dates indicated.

**Philip Morris Incorporated**

Czerwinski, Joseph 8/29/97

Sicula, Paul 8/29/97

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,

R. ROTH JUDD  
Executive Director

**State of Wisconsin  
Claims Board**

September 3, 1997

The Honorable, The Senate:

Enclosed is the report of the State Claims Board covering the claims heard on August 14, 1997.

The amounts recommended for payment under \$5,000 on claims included in this report have, under the provisions of s. 16.007, Stats., been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) over \$5,000, if any, 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 August 14, 1997, upon the following claims:

Claimant	Agency	Amount
1. Amy Keller	Wisconsin State Fair Park	\$25,612.13
2. Todd & Susan Schram	Department of Public Instruction	\$36,920.77
3. Eureka Dam Campsite, Inc.	Department of Natural Resources	\$22,400.00

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

Claimant	Agency	Amount
4. Cori Brantner	Department of Justice	\$833.50
5. Harvey Hallgren	Department of Natural Resources	\$100.00
6. John & Susan McGee	Department of Corrections	\$1,139.40
7. Aaron & Peg Moede	Department of Administration	\$246.87
8. Ruemmele Farms	Dept. of Ag. Trade & Consumer Protection	\$100.00
9. Wayne Sazama	Dept. of Ag. Trade & Consumer Protection	\$65.00
10. Supervalu Holdings, Inc.	Department of Financial Institutions	\$151,657.93
11. Hanneke Tanzer-Hilliard	Department of Revenue	\$629.39
12. Patricia Wagner	Department of Revenue	\$2,975.74

In addition, the following claim, previously presented at hearing, was considered and decided:

Claimant	Agency	Amount
13. Heinz Service, Inc.	Department of Natural Resources	\$11,125.00

**The Board Finds:**

1. Amy Keller of Horicon, Wisconsin, claims \$25,612.13 for uninsured medical bills and pain and suffering incurred as a result of an accident at Wisconsin State Fair Park. On August 26, 1995, while the claimant was attending the Wisconsin Quarter Horse State Show, she tripped on an unevenly laid rubber mat, broke her ankle and injured her back. Her medical bills totaled \$2,101.80 of which her insurance paid \$1,489.67, leaving an uninsured balance of \$612.13. The claimant also requests \$25,000.00 for her pain and suffering. Wisconsin State Fair Park recommends payment of the claimant's uninsured medical expenses. The Board concludes the claim should be paid in the reduced amount of \$612.13 based on equitable principles. The Board further concludes, under authority of s. 16.007 (6m), Stats., that payment should be made from the Wisconsin State Fair Park appropriation s. 20.190 (1)(h), Stats.

2. Todd and Susan Schram of Hartford, Wisconsin, claim \$36,920.77 for attorney fees, tuition, travel expenses and other expenses related to the expulsion of their son, Chad, from Hartford Union High School. In October 1995 Chad, along with three other students, was involved in a drug-related incident during school hours. Chad had no prior problems at school. The school board held an expulsion hearing and voted to permanently expel Chad from school. None of the other students involved in the incident were permanently expelled. The claimants appealed the expulsion to the State Superintendent of Schools, however, the expulsion was upheld. Because recent changes in state law allow schools to refuse admittance to students expelled from other districts, the

claimants were not able to find another public school that would accept Chad. After pursuing a number of other alternatives, such as technical college and correspondence courses, the claimants eventually found a private school that would accept their son. The claimants feel strongly that there should be a more uniform system for determining the length of a student's expulsion in order to ensure fairness. They feel that the school board acted in an arbitrary and capricious manner in denying their son the right to a public education based on one stupid mistake. The claimants believe the Department of Public Instruction is responsible for their damages because it governs the state educational system and has final jurisdiction for all educational concerns. The claimants request reimbursement for their expenses related to appealing the expulsion and finding another school. The Department of Public Instruction recommends this claim be denied in its entirety. The Department is sympathetic to the claimants' situation and the hardships they have faced because of the permanent expulsion of their son, however, the Department does not have the authority to reverse the school board's decision. If there is an unfairness or inequity here, it is a matter of public policy the legislature may choose to address. 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.

3. Eureka Dam Campsite, Inc., by its owners Norma and Earl Edinger of Omro, Wisconsin, claims \$22,400.00 for removal and replacement of dead trees allegedly killed by herbicide sprayed by the Department of Natural Resources. The claimants' property borders property owned by the Department and there is a state owned fence dividing the properties. In August 1991 the Department sprayed "Spike" herbicide along the fence to kill weeds and brush growing along the fence line. The claimants allege that the herbicide drifted and/or was washed onto their land, killing a large number of trees. The claimants believe the Department did not take proper precautions when applying the herbicide. They request reimbursement for 31 trees of various types, which they believe were killed as a result of the Department's actions. The Department recommends payment of this claim in the reduced amount of \$3300. The Department believes that some of the trees on the claimants' property were affected by the herbicide, however, it does not agree that the entire extent of the tree mortality was caused by the herbicide. The Board concludes the claim should be paid in the reduced amount of \$3,300.00 based on equitable principles. The Board further concludes, under authority of s. 16.007 (6m), Stats., payment should be made from the Department of Natural Resources appropriation s. 20.370 (1)(mu), Stats.

4. Cori Brantner of Eau Claire, Wisconsin, claims \$833.50 for medical bills incurred as a result of an automobile accident. The claimant's daughter was a passenger in a vehicle that was struck by a state owned vehicle driven by an employee of the Department of Justice. The daughter suffered neck injuries that required medical treatment. The claimant corresponded with the State Risk Management office, however, she mistakenly did not return her Notice of Claim by certified mail and her claim was denied. She requests reimbursement of the \$833.50 of uninsured medical bills she incurred due to this accident. The Department of Justice recommends payment of this claim based on equitable principles. The Department agrees that the accident occurred and is satisfied that the charges submitted are reasonable. The Board concludes the claim should be paid in the amount of \$833.50 based on equitable principles. The Board further concludes, under authority of s. 16.007 (6m), Stats., that payment should be made from the Department of Justice

appropriation s. 20.455 (2)(a), Stats. (Member Lee not participating).

5. Harvey Hallgren of Beach Park, Illinois, claims \$100.00 for boat damage incurred on July 1, 1995, in Sturgeon Bay. The claimant's boat was tied at the boat launch in a posted "No Wake" zone. A boat operated by a Department of Natural Resources warden sped by, causing a 3-4 foot wake. The wake caused the claimant's boat to slam into the pier several times, damaging to the boat. The claimant later spoke with the warden about the incident. The warden stated that he did not see the claimant's boat until it was "too late." The claimant understands that the Department was responding to an emergency, however, he feels that they acted recklessly by speeding into a "no wake" zone without even looking to see if there were other boats around. He has insurance coverage for the damage and requests reimbursement of his \$100 deductible. The Department believes that the claimant was without fault in the situation and that he should be compensated, based on equitable principles, for his uninsured damages. The Board concludes the claim should be paid in the amount \$100.00 of based on equitable principles. The Board further concludes, under authority of s. 16.007 (6m), Stats., that payment should be made from the Department of Natural Resources appropriation s. 20.370 (1)(mu), Stats.

6. John and Susan McGee of Stoughton, Wisconsin, claim \$1,139.40 for vehicle damage caused by a Department of Corrections' vehicle. The claimants' car was legally parked in a UW parking lot. The Department's vehicle was parked in the drive aisle of the lot and was unattended. The Department's vehicle rolled down the drive aisle and hit the claimants' parked car, causing damage to the rear of the vehicle. The claimants contacted the State Risk Management office and were told to submit two estimates and that a check would be issued to them for the lower of the two estimates. The claimants were unaware that there was a 120 day time limit for submitting these estimates to Risk Management. They submitted the estimates after the 120 days had expired and their claim was denied. They request reimbursement for the damage to their vehicle in the amount of \$1,139.40. The claimants do have insurance coverage for this damage and have a \$250 deductible. The Department of Corrections recommends payment of this claim. A Department employee was negligent and there is merit to the claim. The Board concludes the claim should be paid in the reduced amount of \$250.00 based on equitable principles. The Board further concludes, under authority of s. 16.007 (6m), Stats., payment should be made from the Department of Corrections appropriation s. 20.410 (1)(a), Stats.

7. Aaron and Peg Moede of Madison, Wisconsin, claim \$246.87 for auto damage allegedly caused by a Capitol Police patrol car. In October 1996, the claimants' vehicle was parked on the Capitol Square. A capitol police officer pulled into the space behind the vehicle and accidentally hit it, damaging the rear bumper. The claimants originally submitted a repair estimate of \$856.73, however, they have since received another estimate for \$246.87. The claimants have insurance coverage for the damage and have a \$500 deductible. They request reimbursement for the lower of the two estimates. The Department of Administration (Capitol Police) agrees that the squad car did strike the vehicle in question and recommends payment of the claim. The Board concludes the claim should be paid in the amount of \$246.87 based on equitable principles. The Board further concludes, under authority of s. 16.007 (6m), Stats., that payment should be made from the Department of Administration appropriation s. 20.505 (5)(a), Stats.

8. Ruemmele Farms of Hudson, Wisconsin, claims \$100.00 for labor costs to clean up manure at the claimant's dairy farm. In November 1996 a Department of Agriculture, Trade and

Consumer Protection inspector failed to re-latch the door between the milking parlor pit and the stall area. As a result, cows wandered into the milking parlor pit area and made a mess. The claimants request reimbursement for their time to clean manure from the area. The Department does not admit liability for this incident, however, it does not contest payment of \$100 to the claimants. The Board concludes the claim should be paid in the amount of \$100.00 based on equitable principles. The Board further concludes, under authority of s. 16.007 (6m), Stats., that payment should be made from the Department of Agriculture, Trade & Consumer Protection appropriation s. 20.115 (1)(a), Stats.

9. Wayne Sazama of Colby, Wisconsin, claims \$65.00 for damaged milk equipment on his farm. The claimant alleges that a Department of Agriculture, Trade & Consumer Protection inspector caused the damage during an inspection. He requests \$65.00 to replace the broken part. The Department does not admit liability for any damage to the claimant's milking equipment, however, it will not contest payment of this claim. The Board concludes the claim should be paid in the amount of \$65.00 based on equitable principles. The Board further concludes, under authority of s. 16.007 (6m), Stats., that payment should be made from the Department of Agriculture, Trade & Consumer Protection appropriation s. 20.115 (1)(a), Stats.

10. Supervalu Holdings, Inc. of Minneapolis, Minnesota, claims \$151,657.93 for overpayment of fees submitted with a 1996 Foreign Corporation Annual Report for Supervalu Holdings, Inc.,—"New Holdings." Supervalu Holdings, Inc.,—"Old Holdings" was qualified to do business in Wisconsin and in March 1994 paid fees of \$187,820 on \$93,969,854 increased capital representation in Wisconsin in excess of \$60,000. Effective February 1994, "Old Holdings" merged into "New Holdings." Prior to the merger "New Holdings" was qualified to do business in Wisconsin. Pursuant to s. 180.0122 (y), Stats., and an Opinion of the Attorney General dated November 21, 1968, previous fees paid by "Old Holdings" were to be credited to "New Holdings." Had "New Holdings" properly claimed the \$93,969,854 of capital representation by "Old Holdings" after the merger, "New Holdings" would only have been subject to a \$50 filing fee upon the filing of its 1996 Annual Report. The claimant requests reimbursement of the overpayment in fees. The Department of Financial Institutions recommends denial of this claim. In determining a filing fee, the Department must rely solely on the information supplied by the corporation in its annual report and the records on file with the Department with respect to previous payments on capital representation. The Department has no statutory authority to refund a filing fee once it has been paid. 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. Hanneke M. Tanzer-Hilliard of Madison, Wisconsin, claims \$629.39 for refund of overpayment of taxes. The claimant and her husband separated in December 1991 and divorced in October 1992. As part of the divorce agreement, the claimant's husband was responsible for filing their 1991 taxes. He failed to do so and the Department of Revenue withheld the claimant's 1993, 1994 and 1995 tax refunds and applied them to the 1991 delinquency. The 1991 return was finally filed in January of 1997. The 1991 taxes were overpaid by \$629.39 and the claimant requests a refund of this amount. The claimant believes she should be granted a refund since it is not her fault the taxes were not filed and because it was her refunds which were withheld for payment of the liability. The Department of Revenue recommends this claim be denied. Section 71.75 (5),

Stats., prohibits the Department from refunding the overpayment since no refund was claimed within the prescribed two-year time period. 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. Patricia Wagner of McFarland, Wisconsin, claims \$2,975.74 for refund of overpayment of personal and business taxes for the years 1987-1992. The claimant's husband failed to file his income and business taxes for these years and the Department of Revenue garnished the claimant's wages to pay the delinquent taxes. The claimant's husband is retired. The claimant tried to get her husband to file the tax returns and has always filed her own returns. She does not feel it is fair for her wages to be garnished to pay his tax delinquency. The claimant was unaware of the two-year statute of limitations on refunding overpayments and requests that she be refunded the overpayment of her husband's taxes. The Department of Revenue recommends this claim be denied. Section 71.75 (5), Wis. Stats., prohibits the Department from refunding the money that was applied to the original assessment for the years in question, since no refund was claimed within the prescribed two-year period. 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.

13. Heinz Service Center, Inc. of Milwaukee, Wisconsin, claims \$11,125.00 for expenses incurred in association with the installation of a stage 2 vapor recovery system. This system was required by the Department of Natural Resources in order to control emissions from fueling motor vehicles. The claimant chose a contractor from a list provided by the Department. The contractor, Midwest Petroleum, used the wrong parts and never completed the job. The claimant had to hire another company to finish the vapor recovery system. The claimant received a \$23,082 grant from the Department of Natural Resources \$11,125 of which he paid to Midwest Petroleum in addition to over \$28,000 of his own money. The claimant has attempted to recover his money from Midwest, however, the company is in complete disarray and does not have sufficient funds to reimburse him for the unfinished job. The claimant requests reimbursement of the \$11,125 of his grant money which was essentially lost when Midwest Petroleum did not finish the job. The Department of Natural Resources does not object to payment of the claim. 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.

The Board concludes:

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

Todd & Susan Schram  
Supervalu Holdings, Inc.  
Hanneke M. Tanzer-Hilliard  
Patricia Wagner  
Heinz Service Center, Inc.

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

Amy Keller	\$612.13
Eureka Dam Campsite, Inc.	\$3,300.00
Cori Brantner	\$833.50
Harvey Hallgren	\$100.00
John & Susan McGee	\$250.00
Aaron & Peg Moede	\$246.87

Ruemmele Farms  
Wayne Sazama

\$100.00  
\$65.00

Dated at Madison, Wisconsin this 29th day of August, 1997.  
Alan Lee, Chair  
Representative of the Attorney General  
Edward D. Main, Secretary  
Representative of the Secretary of Administration  
Sheryl Albers  
Assembly Finance Committee  
Stewart Simonson  
Representative of the Governor

**EXECUTIVE COMMUNICATIONS**

**State of Wisconsin  
Office of the Governor**

September 5, 1997

The Honorable, The Senate:

Pursuant to Wisconsin Statute 234.165(2)(b)(3), I am submitting to the presiding officer of the Senate and the Assembly the 1997-98 WHEDA plan, *Dividends for Wisconsin*.

I have made no amendments to the enclosed report, which provides a detailed explanation of the amounts available and outlines WHEDA's plan for using these funds to create housing, business and job opportunities in Wisconsin.

Sincerely,

TOMMY G. THOMPSON  
Governor

Referred to committee on **Economic Development,  
Housing and Government Operations.**

**State of Wisconsin  
Office of the Governor**

September 2, 1997

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint STAMPS, LOUIS, of La Crosse, as a member of the Psychology Examining Board, to serve for the term ending July 1, 2001.

Sincerely,

TOMMY G. THOMPSON  
Governor

Read and referred to committee on **Health, Human  
Services, Aging, Corrections, Veterans and Military  
Affairs.**

**State of Wisconsin  
Office of the Governor**

September 2, 1997

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint FICO, JAMES M., of Waupaca, as a member of the Psychology Examining Board, to serve for the term ending July 1, 1998, and for the full term ending July 1, 2002.

Sincerely,

TOMMY G. THOMPSON  
Governor

Read and referred to committee on **Health, Human  
Services, Aging, Corrections, Veterans and Military  
Affairs.**

**REFERRALS AND RECEIPT OF  
COMMITTEE REPORTS CONCERNING  
PROPOSED ADMINISTRATIVE RULES**

**Senate Clearinghouse Rule 97-016**

Relating to falconry.  
Submitted by Department of Natural Resources.  
Report received from Agency, September 5, 1997.  
Referred to committee on **Agriculture and  
Environmental Resources**, September 9, 1997.

**Senate Clearinghouse Rule 97-021**

Relating to solid waste management.  
Submitted by Department of Natural Resources.  
Report received from Agency, September 5, 1997.  
Referred to committee on **Agriculture and  
Environmental Resources**, September 9, 1997.

**Senate Clearinghouse Rule 97-030**

Relating to the placement of inmates in observation status  
for mental or medical health reasons.  
Submitted by Department of Corrections.  
Report received from Agency, September 8, 1997.  
Referred to committee on **Health, Human Services,  
Aging, Corrections, Veterans and Military Affairs**,  
September 9, 1997 .

**Senate Clearinghouse Rule 97-039**

Relating to timber cutting on lands adjacent to the Lower  
Wisconsin State Riverway.  
Submitted by Department of Natural Resources.  
Report received from Agency, September 5, 1997.  
Referred to committee on **Agriculture and  
Environmental Resources**, September 9, 1997.

**Senate Clearinghouse Rule 97-040**

Relating to regulating public use of state parks, forest and  
other public lands and waters under the department's  
jurisdiction.  
Submitted by Department of Natural Resources.  
Report received from Agency, September 5, 1997.  
Referred to committee on **Agriculture and  
Environmental Resources**, September 9, 1997.

**Senate Clearinghouse Rule 97-041**

Relating to the air permit program.  
Submitted by Department of Natural Resources.  
Report received from Agency, September 5, 1997.  
Referred to committee on **Agriculture and  
Environmental Resources**, September 9, 1997.

**Senate Clearinghouse Rule 97-058**

Relating to the harvest information program.  
Submitted by Department of Natural Resources.  
Report received from Agency, September 5, 1997.  
Referred to committee on **Agriculture and  
Environmental Resources**, September 9, 1997.

**Senate Clearinghouse Rule 97-088**

Relating to the 1997 migratory game bird season.  
Submitted by Department of Natural Resources.  
Report received from Agency, September 5, 1997.  
Referred to committee on **Agriculture and  
Environmental Resources**, September 9, 1997.

**Senate Clearinghouse Rule 97-095**

Relating to the inmate secure work program.  
Submitted by Department of Corrections.  
Report received from Agency, September 8, 1997.  
Referred to committee on **Health, Human Services,  
Aging, Corrections, Veterans and Military Affairs**,  
September 9, 1997 .

**ADJOURNMENT**

Senator Risser, with unanimous consent, asked that the  
Senate adjourn until Thursday, September 11 at 10:00 A.M..  
Adjourned.

10:01 A.M.