

# Eighty-Seventh Regular Session

WEDNESDAY, August 21, 1985

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

## INTRODUCTION OF BILLS

Read first time and referred:

### Senate Bill 286

Relating to revocation and suspension of operating privileges and eligibility for occupational licenses upon conviction of certain traffic offenses.

By Senators Otte and Adelman; cosponsored by Representatives Rutkowski and Huelsman.

To committee on Judiciary and Consumer Affairs.

### Senate Bill 287

Relating to operating a motor vehicle while under the influence of an intoxicant, drugs or both, administrative revocation of operating privileges and chemical tests for intoxication and granting rule-making authority.

By Senators Chvala, Otte, Lee, Norquist and McCallum; cosponsored by Representatives Rutkowski, Barrett, Vanderperren, Metz, Volk, Nelsen, Ourada, Weeden, Magnuson, Gruszynski, D. Travis, Buettner and Rosenzweig.

To committee on Judiciary and Consumer Affairs.

### Senate Bill 288

Relating to certain county, city, village and town zoning provisions affecting airports.

By Senators Helbach, Otte, Andrea, Chvala, McCallum, Risser and Lorman; cosponsored by Representatives Antaramian, Barca, Hasenohrl, Robinson, Shoemaker, Prosser, R. Young, Neubauer, Manske, Volk, Goetsch, Schmidt, Magnuson, Gruszynski, McEssy, Panzer, Kasten, Buettner and Ourada.

To committee on Transportation.

### Senate Bill 289

Relating to a refund of motor fuel and special fuel taxes paid by school districts, towns, villages, cities and counties.

By Senator Harsdorf, by request of Mr. Arnold Mielke of Woodville, Wisconsin.

To Joint Survey committee on Tax Exemptions.

### Senate Bill 290

Relating to creating an animal health and disease research board and an animal health and disease research council, granting rule-making authority and making an appropriation.

By Senators Harsdorf, Feingold, Rude, Engeleiter and Otte; cosponsored by Representatives Zeuske, Swoboda, Panzer, Hubler, Tregoning, Kasten, Ourada and Merkt.

To committee on Agriculture, Health and Human Services.

## COMMITTEE REPORTS

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends for introduction:

### Senate Bill 291

Relating to comparative negligence.

Introduction:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Lorman;

Noes, 0 -- None.

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

### Senate Bill 292

Relating to extension of statutes of limitations.

Introduction:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Lorman;

Noes, 0 -- None.

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

### Senate Bill 293

Relating to required provisions in motor vehicle insurance policies.

Introduction:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Lorman;

Noes, 0 -- None.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

JEROME VAN SISTINE  
Chair

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

KNITT, EARL G. JR., of Reedsville, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Lorman;

Noes, 0 -- None.

SCHULTZ, MARCH, of Watertown, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Lorman;

Noes, 0 -- None.

SERTO, MICHELLE, of Kenosha, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Lorman;

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Noes, 0 -- None.

JEROME VAN SISTINE  
Chair

REPORT OF JOINT SURVEY COMMITTEE ON  
TAX EXEMPTIONS

Appendix to Senate Bill 200

Public Policy Involved

Section 19 of this bill, relating to the sales tax exemption for occasional sales, is good public policy.

JOSEPH J. CZARNEZKI  
Co-chair

WAYNE W. WOOD  
Co-chair

Referred to committee on Aging, Banking, Commercial Credit and Taxation.

REPORT OF JOINT SURVEY COMMITTEE ON  
TAX EXEMPTIONS

Appendix to Senate Bill 243

Public Policy Involved

Section 8 of this bill, relating to income taxation of gains on sales of out-of-state residence, is good public policy.

JOSEPH J. CZARNEZKI  
Co-chair

WAYNE W. WOOD  
Co-chair

Referred to committee on Aging, Banking, Commercial Credit and Taxation.

REPORT OF JOINT SURVEY COMMITTEE ON  
TAX EXEMPTIONS

Appendix to Senate Bill 244

Public Policy Involved

The sections of this bill relating to sales tax exemptions are good public policy.

JOSEPH J. CZARNEZKI  
Co-chair

WAYNE W. WOOD  
Co-chair

Referred to committee on Aging, Banking, Commercial Credit and Taxation.

EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor

August 16, 1985

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill

Act No.

Date Approved

85 ----- 32 ----- August 16, 1985

Respectfully,  
ANTHONY S. EARL  
Governor

State of Wisconsin  
Office of the Governor

August 14, 1985

To the Honorable, the Senate:

My nomination of Mr. Edward Hales of Racine to the Banking Review Board is pending before the Senate. Mr. Hales has submitted a letter of resignation to me and I hereby withdraw his nomination.

Respectfully,  
ANTHONY S. EARL  
Governor

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 84-209

AN ORDER to renumber Ag 10.12 (1) (intro.) and 48.12; to amend Ag 10.02 (1) (intro.), 10.045 (1), 10.08 (intro.), 10.09 (1), 10.17, 10.26 (1), 10.27 (1) (a), 11.03 (1) (a), 14.08, 16.02 (1) (intro.), 16.03 (1) (intro.), 23.03 (2), 23.04 (2), 25.06 (2) (b), 27.02, 28.05 (3), 28.06 (1), 29.04 (3), 29.07 (3), 29.10 (3), 29.16 (7) (a), 40.02 (3), 42.03 (2), 48.11 (1), 80.04 (1), 86.03, 87.03, 88.03 (2), 107.02 (1) and 120.02 (1); and to create Ag 6.01 (4), 6.02 (4), 10.12 (1) (b), 29.06 (4), 29.08 (3) (c), 29.09 (3) and 48.12 (2), relating to time deadlines for department action on permit applications.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from agency, August 20, 1985.

Referred to committee on Agriculture, Health and Human Services, August 21, 1985.

Clearinghouse Rule 85-42

AN ORDER to repeal VE 3.01 (8) to (10) and ch. VE 5; to renumber VE 2.01 and 3.02 (11) (b) and (12) to (23); to renumber and amend VE 3.02 (11) (a); to amend VE 2.08 (1) (intro.), 2.09 (1), 4.02 (2) and 6.04; to repeal and recreate VE 2.04, 3.01 (3) and 3.02 (18); and to create VE 2.01 (2), 2.08 (1) (d) and 3.02 (14), relating to examinations for license and certificate, temporary permits, examination review, supervision, unprofessional conduct and access to public records.

Submitted by Department of Regulation and Licensing.

Report received from agency, August 19, 1985.

Referred to committee on Agriculture, Health and Human Services, August 21, 1985.

Clearinghouse Rule 85-52

AN ORDER to repeal chapter Ag 2; and to create chapter Ag 140, relating to agricultural marketing orders, marketing agreements and marketing boards.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from agency, August 16, 1985.

Referred to committee on Agriculture, Health and Human Services, August 21, 1985.

**Clearinghouse Rule 85-84**

AN ORDER to create ETF 10.01 (2m), relating to the definition of earnings for purposes of social security and the Wisconsin retirement system.

Submitted by Department of Employee Trust Funds.

Report received from agency, August 21, 1985.

Referred to committee on Education and Government Operations, August 21, 1985.

**Clearinghouse Rule 85-85**

AN ORDER to renumber ETF 20.16; to amend ETF 20.15 (1) and (4); to repeal and recreate ETF 20.15 (2); and to create ETF 20.15 (4) (b) and 20.16 (2) to (5), relating to the reestablishment of creditable service and purchasing qualifying service under the Wisconsin retirement system.

Submitted by Department of Employee Trust Funds.

Report received from agency, August 19, 1985.

Referred to committee on Education and Government Operations, August 21, 1985.

**Clearinghouse Rule 85-101**

AN ORDER to renumber Ins 3.39 (3) (e) to (i) and Appendix (9); and to amend Ins 3.39 (1) to (6), (9), (11) and (13) and Appendix, relating to standards for disability insurance sold to the medicare eligible.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, August 15, 1985.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, August 21, 1985.

The committee on Transportation reports and recommends:

**Clearinghouse Rule 84-151**

AN ORDER to repeal ch. MVD 10; and to create ch. Trans 100, relating to safety responsibility issues and the duty to report accidents.

Submitted by Department of Transportation.

No action taken.

**Clearinghouse Rule 85-19**

AN ORDER to amend Trans 105.03 (intro.), (1) (c) and (2); and to create Trans 105.09, relating to licensing of driver schools and instructors.

Submitted by Department of Transportation.

No action taken.

**Clearinghouse Rule 85-69**

AN ORDER to renumber and amend Trans 126.02 (2); to amend Trans 126.01 and 126.02; to repeal and recreate Trans 126.03; and to create Trans 126.02 (3) and (5) to (8) and 126.04, relating to the municipal or county vehicle registration fee.

Submitted by Department of Transportation.

No action taken.

**Clearinghouse Rule 85-78**

AN ORDER to amend Trans 2.015 (1) and 2.05 (1) (a), relating to the elderly and handicapped transportation assistance program for private nonprofit organizations.

Submitted by Department of Transportation.

No action taken.

CARL OTTE

Chair

The committee on Education and Government Operations reports and recommends:

**Clearinghouse Rule 85-91**

AN ORDER to create ETF 10.12 and 10.25, relating to separate retirement system participation in the fixed or variable trust fund and fixed retirement investment trust participation in the variable investment trust.

Submitted by Department of Employee Trust Funds.

No action taken.

**Clearinghouse Rule 84-223**

AN ORDER to create chapter RL 1, relating to procedures for a hearing following the denial of an original license.

Submitted by Department of Regulation and Licensing.

No action taken.

JOSEPH J. CZARNEZKI

Chair

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

**Clearinghouse Rule 85-99**

AN ORDER to amend Ag 151.07 (3), relating to labeling packages of potatoes with the Wisconsin seal of quality under the potato marketing agreement.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Review period waived.

**Clearinghouse Rule 84-233**

AN ORDER to create chapter Ag 162, relating to fertilizer bulk storage practices.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Modifications accepted and no action taken.

**Clearinghouse Rule 84-234**

AN ORDER to create chapter Ag 163, relating to pesticide bulk storage practices.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Modifications accepted and no action taken.

RODNEY C. MOEN

Chair

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CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Bill 85**

Correctly enrolled and presented to the Governor on  
August 16, 1985.