

STATE OF WISCONSIN  
**Assembly Journal**  
Eighty-Ninth Regular Session

WEDNESDAY, September 26, 1990

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

ADMINISTRATIVE RULES

Read and referred:

**Assembly Clearinghouse Rule 89-22**

Relating to the treatment of motor vehicles as assets in determining eligibility for the medical assistance program.

Submitted by Department of Health and Social Services.

To committee on Health.

Referred on September 21, 1990.

**Assembly Clearinghouse Rule 90-25**

Relating to permits for vehicles and loads exceeding the size and weight limitations of ch. 348, Stats.

Submitted by Department of Transportation.

To committee on Highways.

Referred on September 26, 1990.

**Assembly Clearinghouse Rule 90-37**

Relating to vegetable grade standards and grading procedures.

Submitted by Department of Agriculture, Trade and Consumer Protection.

To committee on Agriculture.

Referred on September 26, 1990.

**Assembly Clearinghouse Rule 90-121**

Relating to the administration of the office of health care information.

Submitted by Department of Health and Social Services.

To committee on Health.

Referred on September 26, 1990.

**Assembly Clearinghouse Rule 90-123**

Relating to sales to and by elementary and secondary schools and related organizations.

Submitted by Department of Revenue.

To committee on Ways and Means.

Referred on September 26, 1990.

**Assembly Clearinghouse Rule 90-130**

Relating to complaint resolution procedures for inmates of the Wisconsin resource center.

Submitted by Department of Health and Social Services.

To committee on Health.

Referred on September 26, 1990.

**Assembly Clearinghouse Rule 90-142**

Relating to demerit point values for traffic violations and revocations and suspensions of operating privileges.

Submitted by Department of Transportation.

To committee on Transportation.

Referred on September 21, 1990.

**Assembly Clearinghouse Rule 90-145**

Relating to administrative suspension of operating privilege for operating a motor vehicle with an alcohol concentration of 0.1 or more.

Submitted by Department of Transportation.

To committee on Transportation.

Referred on September 21, 1990.

**Assembly Clearinghouse Rule 90-148**

Relating to the issuance of occupational driver's licenses.

Submitted by Department of Transportation.

To committee on Transportation.

Referred on September 26, 1990.

**Assembly Clearinghouse Rule 90-157**

Relating to start-up grants for before- and after-school day care programs for children ages 4 to 11.

Submitted by Department of Health and Social Services.

To committee on Children and Human Services.

Referred on September 26, 1990.

**Assembly Clearinghouse Rule 90-164**

Relating to the volume cap on private activity bonds.

Submitted by Department of Development.

To committee on Housing, Securities and Corporate Policy.

Referred on September 21, 1990.

COMMUNICATIONS

September 14, 1990

Mr. Thomas Melvin  
Assembly Chief Clerk  
Suite 402, 1 East Main St.  
P.O. Box 8952  
Madison, WI 53708

SUBJECT: Clean Water Fund Biennial Finance Plan for FY 1991-1993

Dear Mr. Melvin:

Attached to this letter is the proposed Clean Water Fund Biennial Finance Plan for FY 1991-1993. This plan has been prepared jointly by the Department of Natural Resources and the Department of Administration

Capital Finance Office. The preparation, submission and review of the Biennial Finance Plan by the Joint Committee on Finance, environmental legislative standing committees and Building Commission is required under s. 144.2415(3), Stats.

Per s. 144.2415(3)(bm)1, Stats., this is the version of the Biennial Finance Plan initially prepared as part of the Department of Natural Resources budget process. This plan will be considered at the September Natural Resources Board meeting. As stated in other portions of s. 144.2415(3)(bm), Stats., this Biennial Finance Plan will be revised at later stages in the FY 1991-1993 budgetary process, including a final version incorporating the adopted biennial budget act. The statute allows the Joint Committee on Finance and each standing committee to submit to the Building Commission its recommendations and comments regarding each version of the Biennial Finance Plan.

The Biennial Finance Plan has been prepared to support the administration of the Clean Water Fund which provides financial assistance to municipalities that are required to construct new wastewater treatment facilities to protect the surface and groundwaters of Wisconsin. The most recent statutory changes to the program were signed into law by the Governor in June, 1990. There are several recommendations in the Biennial Finance Plan which will require revisions to these statutes. The need and reasons for revisions are identified with each associated recommendation. Specific statutory language will be submitted later.

As required in s. 144.2415(3)(bm), Stats., we will send you any subsequent versions of the FY 1991-1993 Biennial Finance Plan after they are developed. The next version will be completed when the FY 1991-1993 biennial budget is submitted to the Legislature under s. 16.45, Stats. That version will contain material approved by the Governor for inclusion in the budget.

If you have any questions regarding this Biennial Finance Plan, please contact Paulette Harder at 266-0836 or Frank Hoadley at 266-2305. We will keep you informed should any changes need to be made to the Biennial Finance Plan.

Sincerely,  
PAULETTE HARDER  
Director, Intergovt. Programs  
Department of Natural Resources  
  
FRANK HOADLEY  
Capitol Finance Director  
Department of Administration

September 21, 1990

Mr. Don Schneider  
Senate Chief Clerk  
Suite 402, 1 East Main St.  
P.O. Box 7882  
Madison, WI 53707

Thomas Melvin  
Assembly Chief Clerk  
Suite 402, 1 East Main St.  
P.O. Box 8952  
Madison, WI 53708

Re: CLAIMS UNDER SECTIONS 227.485 AND  
814.245, WISCONSIN STATUTES

Dear Mr. Schneider and Mr. Melvin:

As required in Sections 227.485(9) and 814.245(10) of the Wisconsin Statutes, I am submitting the report concerning decisions and resulting payments of costs and attorney fees. Costs and attorney fees are to be paid whenever the party to an agency's chapter 227 hearing or appeal thereof prevails and it's determined the agency's position was not substantially justified.

Should the hearing examiner determine that the motion of the other party in any chapter 227 contested case is frivolous, the examiner may award the state agency all reasonable costs in responding to the motion. The Department of Health and Social Services did not recover any costs during the fiscal year ending June 30, 1989.

Sincerely,  
PATRICIA A. GOODRICH  
Secretary