

Emergency Rule Trans 4

Relating to requiring the use of a fully allocated cost methodology when evaluating bids solicited for transit service in a competitive process. Submitted by the Department of Transportation.

June 21, 2000

PUBLIC HEARING

Present: (10) Representatives Grothman, Gunderson, Seratti, Kreuser, Black; Senators Robson, Grobschmidt, Shibilski, Welch, and Schultz.

Absent: (0)

Appearances for the Rules

■ None

Appearances Against the Rules

■ None

Registrations For the Rules

■ None

Registrations Against the Rules

■ None

Appearances for Information Only

■ Dick Martin, WI DOT

June 21, 2000

EXECUTIVE SESSION

Present: (10) Representatives Grothman, Gunderson, Seratti, Kreuser and Black; Senators Robson, Grobschmidt, Shibilski, Welch and Schultz.

Absent: (0)

Moved by Representative Grothman, seconded by Senator Welch that, pursuant to s. 227.24(2)(a), Stats., the Joint Committee for Review of Administrative Rules extend the effective date of Trans 4 by 60 days, at the request of the Department of Transportation.

Ayes: (10) Representatives Grothman, Gunderson, Seratti, Kreuser and Black; Senators Robson, Grobschmidt, Shibilski, Schultz and Welch.

Noes: (0)

Absent: (0)

Motion Carried: Extension Granted.
10 Ayes, 0 Noes, 0 Absent.

August 23, 2000

PUBLIC HEARING

Present: (8) Representatives Grothman, Gunderson, Seratti, and Kreuser; Senators Robson, Grobschmidt, Shibilski, Welch, and Schultz.

Absent: (2) Representatives Seratti and Black

Appearances for the Rules

- Laura Borth, Dept. of Transportation
- Jan Davis, Dept. of Transportation

Appearances Against the Rules

- None

Registrations For the Rules

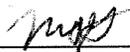
- None

Registrations Against the Rules

- None

Appearances for Information Only

- None



Maggie Grimm, Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

Emergency Rule WGC 61

Relating to: the implementation and maintenance of the retailer performance program on the Wisconsin lottery.

July 25, 2000

PUBLIC HEARING HELD

Present: (4) Senators Robson, Schultz, Representatives Grothman and Black.
Absent: (6) Senators Grobschmidt, Shibilski, Welch, Representatives Gunderson, Seratti and Kreuser.

Appearances for

- David Storey, Wisconsin Lottery
- Tom Ourada, Department of Revenue

Appearances against

- None.

Appearances for Information Only

- None.

Registrations for

- None.

Registrations against

- None.

July 25, 2000

EXECUTIVE SESSION

Present: (4) Senators Robson, Schultz, Representatives Grothman and Black.
Absent: (6) Senators Grobschmidt, Shibilski, Welch, Representatives Gunderson, Seratti and Kreuser.

Moved by Senator Robson, seconded by Senator Schultz, that pursuant to section 227.24(2)(a), Wisconsin Statutes, the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule WGC 61 by 60 days at the request of the Department of Revenue.

Ayes: (5) Senators Robson, Grobschmidt*, Shibilski*,
Schultz and Representative Black.
Noes: (2) Senator Welch* and Representative
Grothman.
Absent: (3) Representatives Gunderson, Seratti and
Kreuser.

* voted by polling.

September 20, 2000 **PUBLIC HEARING HELD**

Present: (9) Senators Robson, Grobschmidt, Welch,
Schultz, Representatives Grothman,
Gunderson, Seratti, Kreuser and Black.
Absent: (1) Senator Shibilski.

Appearances for

- David Storey, Wisconsin Lottery
- Tom Ourada, Dept. of Revenue

Appearances against

- None.

Appearances for Information Only

- None.

Registrations for

- None.

Registrations against

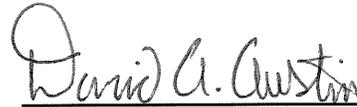
- None.

September 20, 2000 **EXECUTIVE SESSION**

Present: (9) Senators Robson, Grobschmidt, Welch,
Schultz, Representatives Grothman,
Gunderson, Seratti, Kreuser and Black.
Absent: (1) Senator Shibilski.

Moved by Senator Robson, seconded by Senator Grobschmidt, that pursuant to section 227.24(2)(a), Wisconsin Statutes, the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule WGC 61 by 33 days at the request of the Department of Revenue.

Ayes: (8) Senators Robson, Grobschmidt, Welch,
Schultz, Representatives Gunderson, Seratti,
Kreuser and Black.
Noes: (1) Representative Grothman.
Absent: (1) Senator Shibilski.

A handwritten signature in cursive script that reads "David A. Austin". The signature is written in dark ink and is positioned above a horizontal line.

David A. Austin
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

Public Service Commission policies relating to the confidentiality of documents submitted to the agency

September 20, 2000 **PUBLIC HEARING HELD**

Present: (9) Senators Robson, Grobschmidt, Welch,
Schultz, Representatives Grothman,
Gunderson, Seratti, Kreuser and Black.
Absent: (1) Senator Shibilski.

Appearances for

- None.

Appearances against

- None.

Appearances for Information Only

- Representative Spencer Black
- Edward Marion, General Counsel, Public Service Commission

Registrations for

- None.

Registrations against

- None.

September 20, 2000 **EXECUTIVE SESSION**

Present: (9) Senators Robson, Grobschmidt, Welch,
Schultz, Representatives Grothman,
Gunderson, Seratti, Kreuser and Black.
Absent: (1) Senator Shibilski.

Moved by Representative Black, seconded by Senator Schultz, that, pursuant to section 227.26(2)(b), the Joint Committee for Review of Administrative Rules finds that Public Service Commission guidelines and policies relating to the handling of confidential documents meet the definition of a rule in section 227.01(13), Stats., and should be promulgated as emergency rules under section 227.24(1)(a), Stats., within 30 days.

Ayes: (8) Senators Robson, Grobschmidt, Welch,
Schultz, Representatives Gunderson, Seratti,
Kreuser and Black.
Noes: (1) Representative Grothman.
Absent: (1) Senator Shibilski.

A handwritten signature in cursive script that reads "David A. Austin". The signature is written in dark ink and is positioned above a horizontal line.

David A. Austin
Committee Clerk

ATCP 81.50(2), et. al

Relating to grade standards for colby and monterey cheese. Extension of the effective period of this emergency rule by 60 days, at the request of the Department of Agriculture, Trade, and Consumer Protection.

November 11, 1998

EXECUTIVE SESSION HELD

Present: (6) Representatives Grothman and Gunderson; Senators Darling, Huelsman, Grobschmidt, and Breske.

Absent: (4) Representatives Seratti, R. Young, and Kreuser; Senator Welch.

Moved by Representative Grothman, seconded by Representative Gunderson, that pursuant to s. 227.24(2)(a), the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule ATCP 81.50(2) *et. al.*, by 60 days, at the request of the Department of Agriculture, Trade, and Consumer Protection.

Ayes: (6) Representatives Grothman and Gunderson; Senators Darling, Huelsman, Grobschmidt, and Breske.

Noes: (0) None.

Absent: (4) Representatives Seratti, R. Young, and Kreuser; Senator Welch..

EXTENSION GRANTED, Ayes 6, Noes 0, Absent 4.

Steven Krieser, Committee Clerk

February 25, 1999

PUBLIC HEARING

Present: (9) Representatives Grothman, Gunderson,
Seratti, Kreuser, Black; Senators Robson,
Grobschmidt, Welch, Darling

Absent: (1) Senator Shibilski

Appearances for the Rule:

■ Terri Wenger, DATCP

Appearances Against the Rule:

■ None

Registrations for the Rule:

■ None

Registrations Against the Rule:

■ None

Registrations for Information Only:

■ None

EXECUTIVE SESSION/POLLING HELD

Present: (9) Representatives Grothman, Gunderson,
Seratti, Kreuser, Black; Senators Robson,
Grobschmidt, Welch, Darling

Absent: (1) Senator Shibilski

Moved by Representative Grothman, seconded by
Representative Gunderson, that pursuant to s. 227.24 (2)(a),
the Joint Committee for Review of Administrative Rules
extend the effective period of emergency rule ATCP 81.50(2)
et. al., by 60 days, at the request of the Department of
Agriculture, Trade, and Consumer Protection.

Ayes: (9) Representatives Grothman, Gunderson,
Seratti, Kreuser, Black; Senators Robson,
Grobschmidt, Shibilski, Darling.

Noes: (1) Senator Welch.

EXTENSION GRANTED. Ayes 9, Noes 1



Maggie Grimm, Committee Clerk

ATCP 134.06

Relating to residential rental practices. Public testimony taken on the rights of a landlord in withholding security deposits.

April 11, 2000

PUBLIC HEARING HELD

Present: (9) Representatives Grothman, Gunderson, Seratti, and Black; Senators Robson, Grobschmidt, Shibilski, Welch, and Schultz.

Absent: (1) Representative Kreuser

Appearances for the Rule

- Bob Anderson, Legal Action of WI
- Megin Hicks, Madison
- Brenda Konkel, Madison
- Matt Ludt, United Council of UW Students

Appearances Against the Rule

- Mike Mokler, WI Apt Assoc.
- Orville Seymer, Apt. Assoc. of SE WI
- Randall Baures, Cedarburg
- Rich Sommer, Central WI Apt. Assoc.
- Darryl Kurtebach, WI Apt. Assoc.
- Henry Korger, Central WI Apt. Assoc.
- Michelle Citjns, WI Apt. Assoc.
- Bob Dennik, WI Apt. Assoc.
- Jack Bergs, Wausau Apt. Assoc.

Registrations For the Rule

- None

Registrations Against the Rule

- Angie Miller, Community Advocates
- Judy Mihis, Madison
- Stacy Vincent, WI Apt. Assoc.
- Joleen Diley, FVAA
- John Kent, Wausau Apt. Assoc.
- Vera Koutnik, Wausau Apt. Assoc.
- Maudwella Kirkendoll, Community Advocates
- Lynn Schneider, WI Apt. Assoc.
- Ed Schneider, WI Apt. Assoc.
- Ron Scheid, Fox Valley Apt. Assoc.
- Frena Scheid, Fox Valley Apt. Assoc.
- James Ross, CWAA

Appearances for Information Only

- Elmer Prenzlów, DATCP
- Teel Haas, DATCP

June 21, 2000

EXECUTIVE SESSION

Present: (10) Representatives Grothman, Gunderson, Seratti, Kreuser and Black; Senators Robson, Grobschmidt, Shibilski, Welch and Schultz.

Absent: (0)

Moved by Senator Welch, seconded by Representative Gunderson that, pursuant to s. 227.26(2)(b), Stats., the Joint Committee for Review of Administrative Rules finds that the note following s. ATCP 134.06 (3) (c) meets the definition of a rule and directs the Department of Agriculture, Trade, and Consumer Protection to promulgate the Note as an emergency rule under s. 227.24 (1) (a), Stats., within 30 days of June 21, 2000.

Ayes: (10) Representatives Grothman, Gunderson, Seratti, Kreuser and Black; Senators Robson, Grobschmidt, Shibilski, Schultz and Welch.

Noes: (0)

Absent: (0)

Motion Carried
10 Ayes, 0 Noes, 0 Absent.

Moved by Representative Grothman, seconded by Senator Welch that, the Joint Committee for Review of Administrative Rules finds that the Note following s. ATCP 134.06 (3) (c) does not express what should be the state of Wisconsin's policy with regard to carpet cleaning and security deposits.

Ayes: (6) Representatives Grothman, Gunderson, and Kreuser; Senators Robson, Shibilski, Schultz and Welch.

Noes: (4) Representatives Seratti and Black; Senators Grobschmidt and Robson

Absent: (0)

Motion Carried
6 Ayes, 4 Noes, 0 Absent.



Maggie Grimm, Committee Clerk

COMM 47

Relating to the PECFA Program.

April 27, 1999

PUBLIC HEARING

Present: (9) Representatives Grothman, Gunderson, Seratti, Kreuser, Black; Senators Robson, Grobschmidt, Welch, Darling

Absent: (1) Senator Shibilski

Appearances for the Rules

■ John Alberts, Department of Commerce

Appearances Against the Rules

■ Michael Berkholtz, Wisconsin Water Well Association

Registrations For the Rules

■ None

Registrations Against the Rules

■ None

Appearances for Information Only

■ Jay Hochmuth, Department of Natural Resources

Registrations for Information Only

■ None

Moved by Senator Grothman, seconded by Senator Robson that, pursuant to s. 227.19(4)(d), Stats., the Joint Committee for Review of Administrative Rules extends the suspension period of COMM 47 by 33 days.

Ayes: (10) Representatives Grothman, Gunderson, Seratti, Kreuser and Black; Senators Robson, Grobschmidt, Shibilski~, Darling*, and Welch.

Noes: (0)

Absent: (0) ~voted with majority, *voted by phone

Motion carried unanimously.



Maggie Grimm, Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

COMM 47

Relating to the review of policies regarding risk protocols developed by the Department of Commerce and the Department of Natural Resources in response to the motion adopted by the Joint Committee at its April 27, 1999 Executive Session.

May 27, 1999

PUBLIC HEARING HELD

Present: (10) Senators Robson, Grobschmidt, Shibilski, Welch, Darling, Representatives Grothman, Gunderson, Seratti, Kreuser and Black.

Absent: (0) None.

Appearances for

- None.

Appearances against

- None.

Appearances for Information Only

- Boyd Pussin, AERC, 710 Montreal Place, De Pere, WI 54115
- Jay Hockmuth, DNR
- John Alberts, Dept. of Commerce

Registrations for

- None.

Registrations against

- None.

May 27, 1999

EXECUTIVE SESSION

Present: (8) Senators Robson, Grobschmidt, Welch, Darling, Representatives Grothman, Seratti, Kreuser and Black.

Absent: (2) Senator Shibilski and Representative Gunderson.

Moved by Senator Robson, seconded by Representative Grothman, that pursuant to section 227.19(1)(b), Stats., the Joint Committee for Review of Administrative Rules extend the delayed effective date of suspension of administrative rule Comm 47 by 30 days.

Ayes: (9) Senators Robson, Grobschmidt, Shibilski*,
Welch, Darling, Representatives Grothman,
Seratti, Kreuser and Black.

Noes: (0) None.

Absent: (1) Representative Gunderson. *Roll held open;
voted by phone.



Cory H. Mason IV
Committee Clerk

Emergency Rule CRVB 1

Relating to: the rights of crime victims.

January 20, 2000

PUBLIC HEARING HELD

Present: (8) Senators Robson, Welch, and Darling; Representatives Grothman, Gunderson, Seratti, Kreuser, and Black.
Absent: (2) Senators Grobschmidt and Shibilski.

Appearances for

- Karen Timberlake, Dept. of Justice.

Appearances against

- None.

Appearances for Information Only

- None.

Registrations for

- None.

Registrations against

- None.

January 20, 1999

EXECUTIVE SESSION

Present: (7) Representatives Grothman, Gunderson, Seratti, Kreuser and Black; Senators Robson and Welch.

Absent: (3) Senators Grobschmidt, Darling, and Shibilski.

Moved by Representative Grothman, seconded by Representative Gunderson that pursuant to Section 227.24(2)(a), Stats., the Joint Committee for Review of Administrative Rules extend the effective period of emergency rules CRVB 1 by 60 days, at the request of the Crime Victims Rights Board recommended, Ayes 10, Noes 0

Ayes: (10) Representatives Grothman, Gunderson, Seratti, Kreuser, and Black; Senators Robson, Grobschmidt*, Shibilski*, Darling* and Welch.

Noes: (0)

*voted by phone or paper ballot

April 11, 2000

PUBLIC HEARING HELD

Present: (9) Senators Robson, Grobschmidt, Shibilski, Welch, and
Schultz; Representatives Grothman, Gunderson, Seratti,
and Black.
Absent: (1) Representative Kreuser.

Appearances for

- Karen Timberlake, Dept. of Justice.

Appearances against

- None.

Appearances for Information Only

- None.

Registrations for

- None.

Registrations against

- None.

April 11, 2000

EXECUTIVE SESSION

Present: (9) Senators Robson, Grobschmidt, Shibilski, Welch, and
Schultz; Representatives Grothman, Gunderson, Seratti,
and Black.
Absent: (1) Representative Kreuser.

Moved by Representative Grothman, seconded by Representative Black that
pursuant to Section 227.24(2)(a), Stats., the Joint Committee for Review of
Administrative Rules extend the effective period of emergency rule CRVB 1 by
60 days, at the request of the Crime Victims Rights Board recommended, Ayes
9, Noes 0, Absent 1

Ayes: (9) Representatives Grothman, Gunderson,
Seratti, and Black; Senators Robson,
Grobschmidt, Shibilski, Schultz and Welch.

Noes: (0)

Absent: (1) Representative Kreuser



Maggie Grimm, Committee Clerk

DNR Guidance Documents

Relating to determinations of navigability of farm drainage ditches pursuant to s. 30.10(4)(c), stats. Placed on the agenda at the request of Rep. Glenn Grothman.

December 8, 1998

PUBLIC HEARING HELD

Present (8): Representatives Grothman, Gunderson, Seratti, R. Young, and Kreuser; Senators Welch, Huelsman, and Grobschmidt.

Absent (2): Senators Darling and Breske.

Persons Appearing In Favor of Promulgation

- State Representative Glenn Grothman, 59th District

Persons Appearing in Opposition to Promulgation

- None

Persons Appearing for Information Only

- Mary Ellen Vollbrecht, Madison; DNR
- Elizabeth Kluesner, Madison; DNR

Persons Registering in Favor of Promulgation

- None

Persons Registering In Opposition to Promulgation

- None

December 8, 1998

EXECUTIVE SESSION/POLLING HELD

Present (8): Representatives Grothman, Gunderson, Seratti, R. Young, and Kreuser; Senators Welch, Huelsman, and Grobschmidt.

Absent (2): Senators Darling and Breske.

Moved by Representative Grothman, seconded by Senator Welch that, pursuant to s. 227.26(2)(b), stats., the Joint Committee for Review of Administrative Rules require that the Department of Natural Resources promulgate as an emergency rule, within 30 days, all guidance documents published by the agency that provide direction to agency staff on the determination of navigability of farm drainage ditches.

Ayes (10): Representatives Grothman, Gunderson, Seratti, R. Young and Kreuser; Senators Welch, Darling, Huelsman, Grobschmidt, and Breske.

Noes (0): None

Absent (2): Senators Darling and Breske.

Motion Carried: DNR To Promulgate Rule in 30 Days.

Senators Darling and Breske voted by paper ballot, with the unanimous consent of the committee.

Steven Krieser, Committee Clerk

Emergency Rule NR 303

Relating to farm drainage ditches. Placed on the agenda at the request of Representative Grothman.

April 27, 1999

PUBLIC HEARING

Present: (9) Representatives Grothman, Gunderson, Seratti, Kreuser, Black; Senators Robson, Grobschmidt, Welch, Darling

Absent: (1) Senator Shibilski

Appearances for the Rules

- Michael Cain, Department of Natural Resources
- Paul Zimmerman, WI Farm Bureau
- Ron Kuehn, WI Potato and Vegetable Growers

Appearances Against the Rules

- None

Registrations For the Rules

- Michael Vaughn, WI Muck Farmers Assoc.

Registrations Against the Rules

- None

Appearances for Information Only

- None

Registrations for Information Only

- None



Maggie Grimm, Committee Clerk

Department of Revenue

Relating to "policy" used by employees of the Department in determining sales exempt status of recycling activities pursuant to s. 77.54(26m). Placed on the agenda at the request of Rep. Glenn Grothman.

February 25, 1999

PUBLIC HEARING

Present: (9) Representatives Grothman, Gunderson, Seratti, Kreuser, Black; Senators Robson, Grobschmidt, Welch, Darling

Absent: (1) Senator Shibilski

Appearances for the Rule:

■ None

Appearances Against the Rule:

■ None

Registrations for the Rule:

■ Tom Liebe, Waste Management, (in favor of rule promulgation)

Registrations Against the Rule:

■ None

Appearances for Information Only:

■ Diane Hardt, Dept. of Revenue
■ Tom Ourada, Dept. of Revenue

EXECUTIVE SESSION/POLLING HELD

Present: (9) Representatives Grothman, Gunderson, Seratti, Kreuser, Black; Senators Robson, Grobschmidt, Welch, Darling

Absent: (1) Senator Shibilski

Moved by Representative Grothman, seconded by Senator Robson, that pursuant to s. 227(2)(b), the Joint Committee for Review of Administrative Rules directs the Department of Revenue to use the emergency rule making process to promulgate as an administrative rule its policies interpreting s. 77.54 (26m), stats., and JCRAR requests the Department of Revenue to promulgate these policies in a permanent administrative rule.

Ayes: (10) Representatives Grothman, Gunderson, Seratti, Kreuser, Black; Senators Robson, Grobschmidt, Shibilski, Welch, Darling.

Noes: (0)

**Motion Carried: DOR to promugate rules in 30 days.
Ayes 10, Noes 0**

Emergency Rule Tax 11.20

Relating to sales tax exemptions for machinery used in the process of recycling. Submitted by the Department of Revenue.

August 5, 1999

PUBLIC HEARING

Present: (7) Representatives Grothman, Gunderson, and Seratti; Senators Robson, Grobschmidt, Welch, and Darling

Absent: (3) Representatives Kreuser and Black; Senator Shibilski

Appearances for the Rule:

■ None

Appearances Against the Rule:

■ None

Registrations for the Rule:

■ None

Registrations Against the Rule:

■ None

Appearances for Information Only:

■ Tom Ourada, Dept. of Revenue

August 5, 1999

EXECUTIVE SESSION/POLLING HELD

Present: (7) Representatives Grothman, Gunderson, and Seratti; Senators Robson, Grobschmidt, Darling, and Welch.

Absent: (3) Representatives Kreuser and Black; Senator Shibilski

Moved by Representative Grothman, seconded by Representative Gunderson that, pursuant to s. 227.24(2)(a), Stats., the Joint Committee for Review of Administrative Rules extend the effective date of Tax 11.20 by 60 days, at the request of the Department of Revenue.

Ayes: (8) Representatives Grothman, Gunderson,
and Seratti; Senators Robson, Grobschmidt,
Shibilski-, Darling, and Welch.

Noes: (0)

Absent: (2) Representatives Kreuser and Black..

Motion Carried: Extension Granted.
8 Ayes, 0 Noes, 2 Absent ~voted with majority

Maggie Grimm, Committee Clerk

DOT

Relating to railroad crossing safety. Public testimony taken regarding the Department of Transportation's policies on how federal money for railroad crossing safety is spent.

April 11, 2000

PUBLIC HEARING HELD

Present: (9) Representatives Grothman, Gunderson, Seratti, and Black; Senators Robson, Grobschmidt, Shibilski, Welch, and Schultz.

Absent: (1) Representative Kreuser

Appearances for the Rule

■ None.

Appearances Against the Rule

■ None.

Registrations For the Rule

■ None.

Registrations Against the Rule

■ None.

Appearances for Information Only

- Rodney Kreunen, Railroad Commissioner
- Ron Adams, DOT
- Chuck Thiede, DOT



Maggie Grimm, Committee Clerk

Emergency Rule HFS 50

Relating to adoption assistance. Submitted by the Department of Health and Family Services.

April 11, 2000

PUBLIC HEARING HELD

- Present: (9) Senators Robson, Grobschmidt, Shibilski, Welch, and Schultz; Representatives Grothman, Gunderson, Seratti, and Black.
- Absent: (1) Representative Kreuser.

Appearances for

- Larry Hartzke, DHFS
- Kevin Lewis, DHFS

Appearances against

- None.

Appearances for Information Only

- None.

Registrations for

- None.

Registrations against

- None.

April 11, 2000

EXECUTIVE SESSION

- Present: (9) Senators Robson, Grobschmidt, Shibilski, Welch, and Schultz; Representatives Grothman, Gunderson, Seratti, and Black.
- Absent: (1) Representative Kreuser.

Moved by Representative Grothman, seconded by Senator Robson that pursuant to Section 227.24(2)(a), Stats., the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule HFS 50 by 60 days, at the request of the Department of Health and Family Services. recommended, Ayes 7, Noes 2, Absent 1

Ayes: (7) Representatives Grothman, Gunderson, Seratti, and Black; Senators Robson, Grobschmidt, and Shibilski

Noes: (2) Senators Schultz and Welch.

Absent: (1) Representative Kreuser


Maggie Grimm, Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

HFS 105.39(4)3

Relating to: Annual recertification of CPR training. By request of Representative Luther Olsen.

May 27, 1999

PUBLIC HEARING HELD

Present: (10) Senators Robson, Grobschmidt, Shibilski, Welch, Darling, Representatives Grothman, Gunderson, Seratti, Kreuser and Black.

Absent: (0) None.

Appearances for

- Representative Luther Olsen
- Richard King, W8747 County C, Wautoma, WI, 54982
- Kevin Lewis, DHFS

Appearances against

- None.

Appearances for Information Only

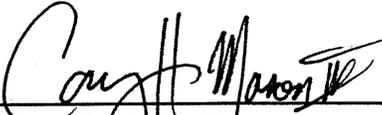
- None.

Registrations for

- None.

Registrations against

- None.


Cory H. Mason IV
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

NR 328

Water ski platforms.

May 27, 1999

PUBLIC HEARING HELD

Present: (10) Senators Robson, Grobschmidt, Shibilski, Welch, Darling, Representatives Grothman, Gunderson, Seratti, Kreuser and Black.

Absent: (0) None.

Appearances for

- None.

Appearances against

- Scott Coley, Wisconsin Water Ski Federation, N5050 Butternut Court, Juneau, WI, 53039
- Cathy Luiting, Rock Aqua Jays, 8219 N. Stone Farm Rd., Edgerton, WI 53534
- Gerry Luiting, Rock Aqua Jays, 8219 N. Stone Farm Rd., Edgerton, WI 53534
- Jeff Mursau, Crivits Ski Cats, 4 Oak St., Crivitz, WI 54114
- Peter Peshew, Wisconsin Dells Visitors and Convention Bureau, 2 E. Mifflin, Madison, WI 53703

Appearances for Information Only

- Paul Cunningham, DNR
- Mary Ellen Vollbrecht, DNR

Registrations for

- None.

Registrations against

- None.

May 27, 1999

EXECUTIVE SESSION

Present: (8) Senators Robson, Grobschmidt, Welch, Darling, Representatives Grothman, Seratti, Kreuser and Black.

Absent: (2) Senator Shibilski; Representative Gunderson.

Moved by Senator Robson, seconded by Representative Seratti, that pursuant to section 227.19(1)(b)(4), Stats., the Joint Committee for Review of Administrative Rules suspend administrative rule NR 328 effective July 5, 1999.

Ayes: (9) Senators Robson, Grobschmidt, Shibilski*, Welch, Darling, Representatives Grothman, Seratti, Kreuser and Black.

Noes: (0) None.

Absent: (1) Representative Gunderson. *Roll held open; voted by phone.


Cory H. Mason IV
Committee Clerk

Senate

Record of Committee Proceedings

Joint committee for review of Administrative Rules

PECFA

The review of policies regarding risk protocols developed by the Department of Commerce and the Department of Natural Resources in response to a motion adopted by the Joint Committee at its December 29, 1999 Executive Session.

January 6, 1999 Referred to committee on Administrative Rules.

January 28, 1999 **PUBLIC HEARING HELD**

Present: (10) Senators Robson, Grobschmidt, Shibilski,
Welch, Darling, Representatives Grothman,
Gunderson, Seratti, Kreuser and Black.

Absent: (0) None.

Appearances for

- David Jenkins, WI Federation of Coops; 30 West Mifflin; Madison, WI

Appearances against

- Representative Mark Pettis; 28th Assembly District

Appearances for Information Only

- Assistant Attorney General JoAnne Kloppenburg, WI DOJ; PO Box 7857; Madison, WI 53707-7857
- John Alberts and Bill Morrissey, WI DoCommerce
- Jay Hockmuth, DNR
- John Robinson, WI Water Well Association; 4080 North 20th Avenue; Wausau, WI 54409
- Mark Malander, PIRI, 25 West Main Street; Madison, WI
- Boyd Possin, WECARE; 710 Montreal Place; DePere, WI 54115

Registrations for

- None.

Registrations against

- Ross Royer, OMUNI Associates; One Systems Drive; Appleton, WI 54914
- John Antaranian, Mayor of Kenosha

January 28, 1999

EXECUTIVE SESSION

Present: (10) Senators Robson, Grobschmidt, Shibilski, Welch, Darling, Representatives Grothman, Gunderson, Seratti, Kreuser and Black.
Absent: (0) None.

Moved by Senator Welch, seconded by Representative Grothman, that **PECFA (pre-COMM 46)** be recommended for REQUEST THAT, protocol "concepts" as presented at the JCRAR Public Hearing of January 28, 1999 by DNR and Commerce become procedure on January 29, 1999 at 9:00 A.M. and that DNR and Commerce's produce a draft of an Emergency Rule reflecting those protocols before the JCRAR's February, 1999 meeting..

Ayes: (8) Senators Robson, Shibilski, Welch, Darling, Representatives Grothman, Gunderson, Seratti and Kreuser.
Noes: (2) Senator Grobschmidt and Representative Black.
Absent: (0) None.

Moved by Senator Robson, seconded by Senator Welch, that **PECFA (pre-COMM 46)** be recommended for REQUEST THAT, the Joint Committee on Legislative Organization review the refusal of state agencies and their ruling authority to refuse and obstruct JCRAR's request for the review of rules, as relayed by Legislative Council.

Ayes: (10) Senators Robson, Grobschmidt, Shibilski, Welch, Darling, Representatives Grothman, Gunderson, Seratti, Kreuser and Black.
Noes: (0) None.
Absent: (0) None.

Moved by Representative Grothman, seconded by Senator Welch, that **PECFA (pre-COMM 46)** be recommended for THAT, the Joint Committee for Review of Administrative Rules alters its December 29, 1998 deadline of 5:00 P.M. on February 1, 1999 to 5:00 P.M. on February 25th, 1999 relating to the conditional

suspension of Comm 47, WI Adm. Code, as adopted on December 29, 1999.

Ayes: (10) Senators Robson, Grobschmidt, Shibilski,
Welch, Darling, Representatives Grothman,
Gunderson, Seratti, Kreuser and Black.

Noes: (0) None.

Absent: (0) None.


Cory H. Mason IV
Committee Clerk

Chapter PSC 160

October 11, 2000

Relating to Universal Service Support Funding and Programs.

PUBLIC HEARING

Present: (8) Representatives Grothman, Gunderson, Black, and Kreuser; Senators Robson, Grobschmidt, Welch, and Schultz.

Absent: (2) Senator Shibilski; Representative Seratti

Appearances for the Rules

■ None

Appearances Against Suspension of the Rules

■ Senator Bob Jauch

Registrations For the Rules

■ None

Registrations Against the Rules

■ None

Appearances for Information Only

- Paul Nelson, PSC
- Gary Evenson, PSC
- Joyce Mahan, PSC
- Joe Mettner, PSC
- Peter Gardon, Wireless Providers
- Ray Riordan, WI State Telecom Assn.

October 11, 2000

EXECUTIVE SESSION

Present: (8) Representatives Grothman, Gunderson, Black, and Kreuser; Senators Robson, Grobschmidt, Welch and Schultz.

Absent: (2) Senator Shibilski; Representative Seratti

Moved by Senator Robson, seconded by Representative Grothman that, pursuant to s. 227.26(2)(d), Stats., and for the reason set forth in ss. 227.19(4)(d) 6, stats., the Joint Committee for Review of Administrative Rules suspends all the words following "providers" in Chapter PSC 160.18(10).

Ayes: (8) Representatives Grothman, Gunderson, and Kreuser ; Senators Robson, Grobschmidt, Shibilski*, Schultz and Welch.

Noes: (1) Representative Black

Absent: (2) Senator Shibilski, Representative Seratti

Motion Carried: Extension Granted.

8 Ayes, 1 No, 2 Absent.

*voted by paper ballot


Maggie Grimm, Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

PSC 160.18

Relating to: the inclusion of wireless telephone providers in the universal service fund.

November 15, 2000 PUBLIC HEARING HELD

Present: (8) Senators Robson, Grobschmidt, Schultz,
Representatives Grothman, Gunderson, Seratti,
Kreuser and Black.

Absent: (2) Senators Shibilski and Welch.

Appearances for

- None.

Appearances against

- None.

Appearances for Information Only

- None.

Registrations for

- Richard Bohling, Verizon, 100 Communications Drive, Sun Prairie (for LRB 0747/1)
- Carol Rochester, Wisconsin State Telecommunications Association, 6602 Normandy Lane, Madison (for LRB 0747/1)

Registrations against

- None.

November 15, 2000 EXECUTIVE SESSION

Present: (6) Senators Robson, Grobschmidt,
Representatives Grothman, Gunderson, Seratti
and Black.

Absent: (4) Senators Shibilski, Welch, Schultz and
Representative Kreuser.

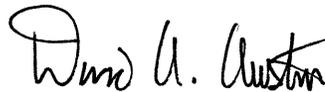
Moved by Representative Grothman, seconded by Representative Gunderson, that pursuant to § 227.26(2)(f), Wisconsin State Statutes, the Joint Committee for the Review of Administrative

Rules introduce LRB 0747/1 to uphold the committee's October 11, 2000 partial suspension of administrative rule PSC 160.18(10)..

Ayes: (5) Senators Shibilski, Welch, Schultz,
Representatives Grothman and Seratti.
Noes: (4) Senators Robson, Grobschmidt,
Representatives Gunderson and Black.
Absent: (1) Representative Kreuser.

Moved by Senator Robson, seconded by Representative Grothman, that pursuant to § 227.26(2)(f), Wisconsin State Statutes, the Joint Committee for the Review of Administrative Rules introduce LRB 0748/1 to uphold the committee's October 11, 2000 partial suspension of administrative rule PSC 160.18(10).

Ayes: (5) Senators Robson, Grobschmidt,
Representatives Grothman, Gunderson and
Seratti.
Noes: (4) Senators Shibilski, Welch, Schultz,
Representative Black.
Absent: (1) Representative Kreuser.



David A. Austin
Committee Clerk

Administrative Rule PSC 167

Relating to elections for extended area telephone service.

June 21, 2000

PUBLIC HEARING

Present: (10) Representatives Grothman, Gunderson, Seratti, Kreuser, Black; Senators Robson, Grobschmidt, Shibilski, Welch, and Schultz.

Absent: (0)

Appearances for the Rules

■ None

Appearances Against the Rules

■ None

Registrations For the Rules

■ None

Registrations Against the Rules

■ None

Appearances for Information Only

- Paul Nelson, PSC
- Gary Evenson, PSC
- Tom Engels, WSTA



Maggie Grimm, Committee Clerk

Administrative Rule Trans 233

Relating to the division of land abutting a state trunk highway or connecting highway.

June 21, 2000

PUBLIC HEARING

Present: (10) Representatives Grothman, Gunderson, Seratti, Kreuser, Black; Senators Robson, Grobschmidt, Shibilski, Welch, and Schultz.

Absent: (0)

Appearances for the Rules

- Robert Cook, DOT
- John Havenberg, DOT
- Mike Cass, DOT
- Jim Theil, DOT
- Representative Dave Brandemuehl
- John Norwell, Dane Co. Dept. of Highways
- Rob Kennedy, Citizens for a Better Environment

Appearances Against the Rules

- Representative Sheryl Albers
- Del Beaver, Village of Jackson
- Jerry Deschane, WI Builders Assoc.
- Rodney Ripley, WI Surveyors
- Arden Sandsnes, Royal Oak Engineering, Madison
- Tom Walker, WI Transportation Builders Assoc.
- Dean H. Arneson, Ellsworth
- Gary Antoniewicz, Midwest Equipment Dealers Assn.
- Francis Thousand, Madison

Registrations For the Rules

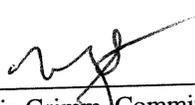
- None

Registrations Against the Rules

- Dean H. Arneson, Ellsworth
- Pat Osbourne, Marathon/Ashland Petroleum
- Thomas Liebe, Petroleum Marketers & WI Assoc. of Convenience Stores
- Pete Christianson, WI Land Title Association

Appearances for Information Only

- John Norwell, self



Maggie Grimm, Committee Clerk

VA 2.01 (2)(b)2

Relating to the expenditure limitation for dentures under the health care aid grant program. Submitted by the Department of Veteran Affairs.

February 25, 1999

PUBLIC HEARING

Present: (9) Representatives Grothman, Gunderson, Seratti, Kreuser, Black; Senators Robson, Grobschmidt, Welch, Darling

Absent: (1) Senator Shibilski

Appearances for the Rule:

■ John Rosinski, Dept. of Veteran Affairs, Madison

Appearances Against the Rule:

■ None

Registrations for the Rule:

■ None

Registrations Against the Rule:

■ None

Registrations for Information Only:

■ None

EXECUTIVE SESSION/POLLING HELD

Present: (9) Representatives Grothman, Gunderson, Seratti, Kreuser, Black; Senators Robson, Grobschmidt, Welch, Darling

Absent: (1) Senator Shibilski

Moved by Representative Grothman, seconded by Representative Gunderson, that pursuant to s. 227.24 (2)(a), the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule VA 2.01 (2)(b)2, by 60 days, at the request of the Department of Veterans Affairs.

Ayes: (10) Representatives Grothman, Gunderson, Seratti, Kreuser, Black; Senators Robson, Grobschmidt, Shibilski, Welch, Darling.

Noes: (0)

EXTENSION GRANTED. Ayes 10, Noes 0



Maggie Grimm, Committee Clerk

Senate

Record of Committee Proceedings

Committee on Agriculture and Environmental Resources

Clearinghouse Rule 97-136

Relating to regulation of metallic mineral mining [covered in report on Clearinghouse Rule 97-057].

Submitted by the Department of Natural Resources.

November 4, 1997 Referred to committee on Agriculture and Environmental Resources.

December 3, 1997 **PUBLIC HEARING HELD**

Present: (4) Senators Clausing, Wirch, A. Lasee and Zien.

Absent: (1) Senator Shibilski.

Appearances for

- Larry Lynch, Department of Natural Resources

Appearances against

- None.

Appearances for Information Only

- Representative Spencer Black, 77th Assembly District

Registrations for

- Keith Reopelle, WI Environmental Decade

Registrations against

- None.

December 18, 1997 **EXECUTIVE SESSION**

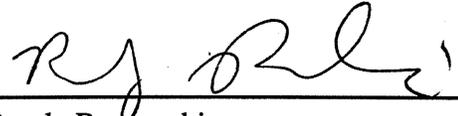
Present: (5) Senators Clausing, Shibilski, Wirch, A. Lasee and Zien.

Absent: (0) None.

Moved by Senator Shibilski, seconded by Senator Wirch, that **Clearinghouse Rule 97-136** be recommended for modifications requested.

Ayes: (4) Senators Clausing, Wirch, Shibilski and A.
Lasee.
Noes: (1) Senator Zien.
Absent: (0) None.

MODIFICATIONS REQUESTED RECOMMENDED, Ayes 4,
Noes 1, Absent 0

A handwritten signature in black ink, appearing to read "Randy Romanski", written over a horizontal line.

Randy Romanski
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Agriculture, Environmental Resources and Campaign Finance Reform

Clearinghouse Rule 97-136

Relating to regulation of metallic mineral mining [covered in report on Clearinghouse Rule 97-057].

Submitted by the Department of Natural Resources.

January 6, 1999 Referred to committee on Agriculture, Environmental Resources and Campaign Finance Reform.

February 17, 1999 **PUBLIC HEARING HELD**

Present: (5) Senators Clausing, Baumgart, Wirch, Schultz and A. Lasee.

Absent: (0) None.

Appearances for

- Larry Lynch, WI Department of Natural Resources, Madison

Appearances against

- Dave Blouin, Sierra Club, Madison
- Joe Strohl, Menominee Indian Tribe, Madison
- Tom Wilson, Fairchild
- Caryl Terrell, Sierra Club - John Muir Chapter, Madison

Appearances for Information Only

- None.

Registrations for

- None.

Registrations against

- Kira Henschel, Mining Impact Coalition, Madison
- Jim Wise, ECCOLA, Tomahawk

February 23, 1999 **EXECUTIVE SESSION**

Present: (0) None.

Absent: (5) Senators Clausing, Baumgart, Wirch, Schultz and A. Lasee.

Moved by Senator Clausing, seconded by , that **Clearinghouse Rule 97-136** be recommended for modifications requested.

Ayes: (4) Senators Clausing, Baumgart, Wirch and Schultz.

Noes: (0) None.

Absent: (1) Senator A. Lasee.

MODIFICATIONS REQUESTED RECOMMENDED, Ayes 4,
Noes 0, Absent 1

July 22, 1999

EXECUTIVE SESSION

Present: (5) Senators Clausing, Baumgart, Wirch, Schultz and A. Lasee.

Absent: (0) None.

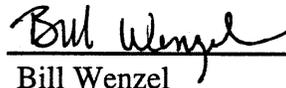
Moved by Senator Clausing, seconded by Senator Baumgart, that **Clearinghouse Rule 97-136** be recommended for partial objection.

Ayes: (5) Senators Clausing, Baumgart, Wirch, Schultz and A. Lasee.

Noes: (0) None.

Absent: (0) None.

PARTIAL OBJECTION RECOMMENDED, Ayes 5, Noes 0,
Absent 0



Bill Wenzel
Committee Clerk

S. 30.135, CR 98-163

The DNR will be asked to present testimony regarding current policy and also proposed rules to implement the statutory requirements of s. 30.135 dealing with ski platform permitting which were contained in 1997 AB 100 (Act 27) Requested by Representatives Seratti and Kreuser.

April 27, 1999

PUBLIC HEARING

Present: (9) Representatives Grothman, Gunderson, Seratti, Kreuser, Black; Senators Robson, Grobschmidt, Welch, Darling

Absent: (1) Senator Shibilski

Appearances for the Rules

■ None

Appearances Against the Rules

- Jeff Mursau, Crivitz
- Jack Sheels, Crivitz
- Robert Conant, Wausaukee

Registrations For the Rules

■ None

Registrations Against the Rules

■ None

Appearances for Information Only

- Michael D. Scott, DNR
- Paul Cunningham, DNR
- Franc Fennessy, DNR
- Peter Peshek, WI Dells Visitor and Convention Bureau

Registrations for Information Only

■ None

April 27, 1999

EXECUTIVE SESSION/POLLING HELD

Present: (10) Representatives Grothman, Gunderson, Seratti, Kreuser and Black; Senators Robson, Grobschmidt, Shibilski~, Darling*, and Welch.

Absent: (0) ~voted with majority, *voted by phone

Moved by Representative Grothman, seconded by Representative Seratti that, pursuant to s. s. 227.26(2)(b), Stats., the Joint Committee for Review of Administrative Rules

1. Finds that the Department of Natural Resources' program guidance concerning permit application determinations for water ski jumps and platforms, dated August 27, 1998, meets the definition of a rule;

2. Directs the Department of Natural Resources to use the emergency rule making process in s. 227.24, Stats., to promulgate the program guidance concerning permit application determinations for water ski jumps and platforms as an administrative rule; and

3. Directs the Department of Natural Resources to use the emergency rule making process in s. 227.24, Stats, to promulgate as an administrative rule any policy of the Department relating to the applicability of s. 30.135, Stats, to water ski jumps and platforms that were in existence on the effective date of s. 30.135, Stats.

Ayes: (10) Representatives Grothman, Gunderson, Seratti, Kreuser and Black; Senators Robson, Grobschmidt, Shibilski~, Darling*, and Welch.

Noes: (0)

Absent: (0) ~voted with majority, *voted by phone

Motion Carried: DNR to promulgate rules within 30 days.
10 Ayes, 0 Noes, 0 Absent.

LRB 3218

August 5, 1999

Relating to permits for water ski jumps and platforms.

PUBLIC HEARING

Present: (7) Representatives Grothman, Gunderson, and Seratti; Senators Robson, Grobschmidt, Welch, and Darling

Absent: (3) Representatives Kreuser and Black; Senator Shibilski

Appearances for the Draft:

■ None

Appearances Against the Drafts 3177,3218:

■ Franc Fennessey, DNR for 3178

■ Mary Ellen Vollbrecht for 3178

■ Frank Herres, WI Wildlife Federation

■ JoAnne Kloppenburg, Assistant Attorney General

- Gerry & Cathy Luiting, Edgerton, WI, Rock Aqua Jays
against any legislation

Registrations for the Draft 3218:

- Jeff Mursau, Crivitz Ski Cats, against the rule
- Jack Sheels, Crivitz Ski Cats, against the rule
- Peter Peshek, WI Dells Visitors and Convention Bureau
against the rule
- Scott Coley, WWSF, Juneau, WI

Registrations Against the Draft:

- Randy Straub, Sun Prairie WI, WWSF, Mad-City Ski
Team

Appearances for Information Only:

- Lyle and June Andrews, Green Bay
- Terry and Cheryl Winzenried, Green Bay

Moved by Senator Welch, seconded by Representative
Gunderson that, the Joint Committee for Review of
Administrative Rules introduce LRB 3218.

Ayes: (5) Representatives Grothman, Gunderson,
and Seratti; Senators Darling, and Welch.

Noes: (3) Senators Robson, Grobschmidt, and
Shibilski~

Absent: (2) Representatives Kreuser and Black.

Motion Carried: Draft Introduced.
5 Ayes, 3 Noes, 2 Absent ~voted via phone

Maggie Grimm, Committee Clerk

Record of Committee Proceedings

Joint committee for review of Administrative Rules

Clearinghouse Rule 99-023

Relating to fishing regulations for inland, outlying and boundary waters and fish refuges.

Submitted by the Department of Natural Resources; referred by objection of the Assembly Committee on Natural Resources.

September 7, 1999 Referred to committee on Administrative Rules.

September 22, 1999 **PUBLIC HEARING HELD**

Present: (7) Senators Grobschmidt, Welch, Representatives Grothman, Gunderson, Seratti, Kreuser and Black.

Absent: (3) Senators Robson, Shibilski and Darling.

Appearances for

- Michael Staggs, Department of Natural Resources, P.O. Box 7921, Madison, WI, 53707

Appearances against

- Representative Duwayne Johnsrud, State Capitol

Appearances for Information Only

- None.

Registrations for

- None.

Registrations against

- None.

September 22, 1999 **EXECUTIVE SESSION**

Present: (7) Senators Grobschmidt, Welch, Representatives Grothman, Gunderson, Seratti, Kreuser and Black.

Absent: (3) Senators Robson, Shibilski and Darling.

Moved by Representative Gunderson, seconded by Senator Welch, that:

1. The Joint Committee for the Review of Administrative Rule (JCRAR), pursuant to s. 227.19 (5) (b) 2., Stats., requests the Department of Natural Resources to modify Clearinghouse Rule 99-23 by deleting the phrase "or possessed" from the Department's amendment to s. NR 20.15.

2. If the Department of Natural Resources, prior to 5:00 p.m. on October 8, 1999, agrees in writing to make the modification requested in item 1., JCRAR nonconcur in the objection of the Assembly Committee on Natural Resources to Clearinghouse Rule 99-23.

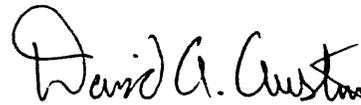
3. If the Department of Natural Resources, prior to 5:00 p.m. on October 8, 1999, does not agree in writing to make the modification requested in item 1., JCRAR, pursuant to s. 227.19 (4) (d) 6., Stats., objects to the phrase "or possessed" in the Department's amendment to s. NR 20.15 on the grounds that the rule is arbitrary and capricious and imposes an undue hardship.

Ayes: (8) Senators Grobschmidt, Welch, Darling*,
Representatives Grothman, Gunderson,
Seratti, Kreuser and Black.

Noes: (0) None.

Absent: (2) Senators Robson and Shibilski. *Roll held
open, voted by phone.

MOTION PASSED, Ayes 8, Noes 0, Absent 2



David A. Austin
Committee Clerk

Moved by Representative Johnsrud, seconded by Representative Hubler, that **Clearinghouse Rule 99-023** be recommended for modifications requested.

Ayes: (9) Representatives Johnsrud, Handrick, Kedzie, Brandemuehl, Boyle, Hubler, Gronemus, J. Lehman and Steinbrink.

Noes: (0) None.

Absent: (3) Representatives Gunderson, Ott and Powers.

MODIFICATIONS REQUESTED RECOMMENDED, Ayes 9,
Noes 0, Absent 3

August 31, 1999

MODIFICATIONS RECEIVED

September 1, 1999

EXECUTIVE SESSION

Present: (10) Representatives Johnsrud, Gunderson, Handrick, Ott, Powers, Boyle, Hubler, Gronemus, J. Lehman and Steinbrink.

Absent: (2) Representatives Kedzie and Brandemuehl.

Moved by Representative Johnsrud, seconded by Representative Gunderson, that "or possessed" in the proposed amendment to s. NR 20.15 in **Clearinghouse Rule 99-023** be recommended for objection.

Ayes: (10) Representatives Johnsrud, Gunderson, Handrick, Ott, Powers, Boyle, Hubler, Gronemus, J. Lehman and Steinbrink.

Noes: (0) None.

Absent: (2) Representatives Kedzie and Brandemuehl.

OBJECTION RECOMMENDED, Ayes 10, Noes 0, Absent 2



Scott Loomans
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

Clearinghouse Rule 99-139

Relating to public employe safety and health.
Submitted by the Department of Commerce.

February 3, 2000 Referred to Joint Committee for Review of Administrative Rules.

February 24, 2000 **PUBLIC HEARING HELD**

Present: (9) Senators Robson, Grobschmidt, Shibilski, Welch,
Darling, Representatives Grothman, Gunderson,
Kreuser and Black.

Absent: (1) Representative Seratti.

Appearances for

- Mike Corry, Dept. of Commerce
- Eric Hands, Dept. of Commerce

Appearances against

- Joanne Ricca, Wisconsin State AFL-CIO, 6333 W. Bluemound Rd.,
Milwaukee, WI 53213
- Ron Kent, AFSCME, 706 Bruce Ct., Madison, WI 53705

Appearances for Information Only

- None.

Registrations for

- None.

Registrations against

- Ken Opin, WI Federation of Teachers and WI Education Action
Council

February 24, 2000 **EXECUTIVE SESSION**

Present: (9) Senators Robson, Grobschmidt, Shibilski, Welch,
Darling, Representatives Grothman, Gunderson,
Kreuser and Black.

Absent: (1) Representative Seratti.

Moved by Senator Welch, seconded by Senator Robson, that pursuant to section 227.19(5)(b)2, *Wisconsin State Statutes*, the Joint Committee for Review of Administrative Rules requests modifications to Clearinghouse Rule 99-139 (Comm 32), relating to public employe safety and health.

That if the Department does not notify the committee by 5:00 p.m., Monday, February 28, 2000 that it is willing to make modifications, then pursuant to section 227.19(5)(d) , *Wisconsin State Statutes*, and for the reason set forth in section 227.19(4)(d)6, *Wisconsin State Statutes*, the committee concurs in the objection of the Senate Committee on Labor to Clearinghouse Rule 99-139.

Ayes: (9) Senators Robson, Grobschmidt, Shibilski, Welch, Darling, Representatives Grothman, Gunderson, Kreuser and Black.

Noes: (0) None.

Absent: (1) Representative Seratti.

MODIFICATIONS REQUESTED, Ayes 9, Noes 0, Absent 1

February 24, 2000

MODIFICATIONS REQUESTED

February 28, 2000

MODIFICATIONS RECEIVED

March 7, 2000

EXECUTIVE SESSION

Present: (10) Senators Robson, Grobschmidt, Shibilski, Welch, Darling, Representatives Grothman, Gunderson, Seratti, Kreuser and Black.

Absent: (0) None.

Moved by Representative Grothman, seconded by Senator Grobschmidt, that pursuant to section 227.19(5)(d), *Wisconsin State Statutes*, and because of the modifications agreed to by the Department of Commerce in its February 28, 2000 letter to the committee's co-chairs, the Joint Committee for Review of Administrative Rules DOES NOT concur in the objection of the Senate Committee.

Ayes: (10) Senators Robson, Grobschmidt, Shibilski, Welch, Darling, Representatives Grothman, Gunderson, Seratti, Kreuser and Black.

Noes: (0) None.

Absent: (0) None.

NONCONCURRENCE IN OBJECTION, Ayes 10, Noes 0, Absent 0



David A. Austin
Committee Clerk

Clearinghouse Rule 99-150

Relating to express advocacy. Submitted by the State Elections Board.

February 22, 2000

Rule received from the Assembly Committee on Campaigns and Elections. Rule objected to in its entirety on a vote of 8-0.

February 23, 2000

Rule received from the Senate Committee on Economic Development, Housing and Government Operations
Rule objected to in its entirety on a vote of 5-0.

March 23, 2000

Notice sent to the State Elections Board pursuant to s. 227.19 (5)(b)1.a., extending review period by 30 days.

April 11, 2000

PUBLIC HEARING HELD

Present: (9) Senators Robson, Grobschmidt, Shibilski, Welch, and Schultz; Representatives Grothman, Gunderson, Seratti, and Black.

Absent: (1) Representative Kreuser.

Appearances for

- Jay Heck, Common Cause in WI.

Appearances against

- None.

Appearances for Information Only

- Kevin Kennedy, Elections Board.
- George Dunst, Elections Board.
- Don Kettl, La Follette Institute
- James Buchen, WMC

Registrations for

- None.

Registrations against

- Mike McCabe, WI Democracy Campaign.

April 11, 2000

EXECUTIVE SESSION

Present: (9) Senators Robson, Grobschmidt, Shibilski, Welch, and Schultz; Representatives Grothman, Gunderson, Seratti, and Black.

Absent: (1) Representative Kreuser.

Moved by Senator Robson, seconded by Senator Welch that pursuant to Section 227.19(4)(d)6, Stats., the Joint Committee for Review of Administrative Rules concurs in the objection of the Senate Committee on Economic Development,

Housing and Government Operations and the Assembly Committee on
Campaigns and Elections. Recommended, Ayes 9, Noes 0, Absent 1

Ayes: (9) Representatives Grothman, Gunderson,
Seratti, and Black; Senators Robson,
Grobschmidt, and Shibilski

Noes: (0)

Absent: (1) Representative Kreuser



Maggie Grimm, Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

Clearinghouse Rule 99-150

Relating to express advocacy.
Submitted by the Elections Board.

February 22, 2000 Referred to Joint Committee for Review of Administrative Rules.

April 11, 2000 **PUBLIC HEARING HELD**

Present: (9) Senators Robson, Grobschmidt, Shibilski,
Welch, Schultz, Representatives Grothman,
Gunderson, Seratti and Black.
Absent: (1) Representative Kreuser.

Appearances for

- Jay Heck, Common Cause of WI

Appearances against

- None.

Appearances for Information Only

- Kevin Kennedy, Elections Board
- George Dunst, Elections Board
- Don Kettl, University of Wisconsin LaFollette Institute
- James Buchen, WI Manufacturers and Commerce

Registrations for

- None.

Registrations against

- Mike McCabe, WI Democracy Campaign

April 11, 2000

EXECUTIVE SESSION

Present: (9) Senators Robson, Grobschmidt, Shibilski,
Welch, Schultz, Representatives Grothman,
Gunderson, Seratti and Black.
Absent: (1) Representative Kreuser.

Moved by Senator Robson, seconded by Senator Welch, that pursuant to section 227.19(4)(d)6, Stats., the Joint Committee for Review of Administrative Rules concurs in the objections of the

Senate Committee on Economic Development, Housing and
Government Operations and the Assembly Committee on
Campaigns and Elections to **Clearinghouse Rule 99-150.**

Ayes: (9) Senators Robson, Grobschmidt, Shibilski,
Welch, Schultz, Representatives Grothman,
Gunderson, Seratti and Black.
Noes: (0) None.
Absent: (1) Representative Kreuser.

CONCURRENCE IN OBJECTION RECOMMENDED, Ayes 9,
Noes 0, Absent 1

May 10, 2000

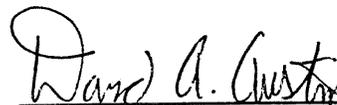
EXECUTIVE SESSION

Present: (9) Senators Robson, Grobschmidt, Welch,
Schultz, Representatives Grothman,
Gunderson, Seratti, Kreuser and Black.
Absent: (1) Senator Shibilski.

Moved by Senator Robson, seconded by Representative Kreuser,
that pursuant to section 227.19(5)(e), Stats., the Joint Committee
for Review of Administrative Rules approve introduction of LRB
4934/2 in support of its April 11, 2000 objection to **Clearinghouse
Rule 99-150.**

Ayes: (8) Senators Robson, Grobschmidt, Shibilski,
Schultz, Representatives Gunderson, Seratti,
Kreuser and Black.
Noes: (2) Senator Welch and Representative Grothman.
Absent: (0) None.

INTRODUCTION OF LRB 4934/2 RECOMMENDED, Ayes 8,
Noes 2, Absent 0



David A. Austin
Committee Clerk

use of private sewage systems when a public sewer is available.
The Joint Committee Upholds to Suspension of its Executive
Session of December 8, 1999 and approves LRB 1706 & 1541..

Ayes: (10) Senators Robson, Grobschmidt, Shibilski,
Welch, Darling, Representatives Grothman,
Gunderson, Seratti, Kreuser and Black.

Noes: (0) None.

Absent: (0) None.



Cory H. Mason IV
Committee Clerk