

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

EmR 2009

Relating to DCF rule suspensions and modifications related to COVID-19 (DCF).

June 25, 2020

Public Hearing Held

Present: (10) Senator Nass; Representative Ballweg;
Senators Stroebel, Craig, Larson and Wirth;
Representatives Neylon, Quinn, Hebl and
Subeck.
Absent: (0) None.
Excused: (0) None.

Appearances For

- Tom McCarthy - Wisconsin Department of Children and Families

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

June 25, 2020

Executive Session Held

Present: (10) Senator Nass; Representative Ballweg;
Senators Stroebel, Craig, Larson and Wirth;
Representatives Neylon, Quinn, Hebl and
Subeck.
Absent: (0) None.
Excused: (0) None.

Moved by Representative Neylon, seconded by Senator Nass that **EmR 2009** be recommended for that the Joint Committee for Review of Administrative Rules, pursuant to s. 227.26 (2) (d),

Stats., suspend SECTION 14. of Emergency Rule 2009, relating to DCF rule suspensions and modifications related to COVID-19 (Department of Children and Families), on the grounds that section of the emergency rule, relating to changes to the child support lien docket, fail to comply with legislative intent, are arbitrary and capricious, and impose an undue hardship on custodial parents..

Ayes: (6) Senator Nass; Representative Ballweg;
Senators Stroebel and Craig;
Representatives Neylon and Quinn.

Noes: (4) Senators Larson and Wirch; Representatives
Hebl and Subeck.

THAT THE JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES, PURSUANT TO S. 227.26 (2) (D), STATS., SUSPEND SECTION 14. OF EMERGENCY RULE 2009, RELATING TO DCF RULE SUSPENSIONS AND MODIFICATIONS RELATED TO COVID-19 (DEPARTMENT OF CHILDREN AND FAMILIES), ON THE GROUNDS THAT SECTION OF THE EMERGENCY RULE, RELATING TO CHANGES TO THE CHILD SUPPORT LIEN DOCKET, FAIL TO COMPLY WITH LEGISLATIVE INTENT, ARE ARBITRARY AND CAPRICIOUS, AND IMPOSE AN UNDUE HARDSHIP ON CUSTODIAL PARENTS. RECOMMENDED, Ayes 6, Noes 4

December 11, 2020 **Executive Session Held**

Present: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Absent: (1) Senator Craig.

Excused: (0) None.

Moved by Representative Hebl, seconded by Senator Nass that **EmR 2009** be recommended for That, subject to its June 25, 2020, action to suspend SECTION 14. of the emergency rule, the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of SECTIONS 1, 3 to 7, 9 to 12, and 15 to 17 of emergency rule of the Department of Children and Families, relating to DCF rule suspensions and modifications related to COVID-19 (EmR 2009 – 2nd Ext.), for a period of 60 days through February 12, 2021..

Ayes: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirsch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

THAT, SUBJECT TO ITS JUNE 25, 2020, ACTION TO
SUSPEND SECTION 14. OF THE EMERGENCY RULE, THE
JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE
RULES, PURSUANT TO S. 227.24 (2), STATS., EXTEND THE
EFFECTIVE PERIOD OF SECTIONS 1, 3 TO 7, 9 TO 12, AND
15 TO 17 OF EMERGENCY RULE OF THE DEPARTMENT OF
CHILDREN AND FAMILIES, RELATING TO DCF RULE
SUSPENSIONS AND MODIFICATIONS RELATED TO
COVID-19 (EMR 2009 – 2ND EXT.), FOR A PERIOD OF 60
DAYS THROUGH FEBRUARY 12, 2021. RECOMMENDED,
Ayes 9, Noes 0

Roy Johnson
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

EmR 2011

Relating to: waiving interest in limited circumstances for employers subject to reimbursement financing when reimbursements are delinquent due to COVID-19 (DWD).

September 17, 2020 **Executive Session Held**

Present: (10) Senator Nass; Representative Ballweg;
Senators Stroebel, Craig, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Absent: (0) None.

Excused: (0) None.

Moved by Representative Hebl, seconded by Representative Ballweg that **EmR 2011** be recommended for Approve 60 Day Extension.

Ayes: (10) Senator Nass; Representative Ballweg;
Senators Stroebel, Craig, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

APPROVE 60 DAY EXTENSION RECOMMENDED, Ayes 10,
Noes 0

December 11, 2020 **Executive Session Held**

Present: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Absent: (1) Senator Craig.

Excused: (0) None.

Moved by Representative Hebl, seconded by Senator Nass that **EmR 2011** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Department of Workforce Development, relating to waiving interest in limited circumstances for employers subject to reimbursement financing

when reimbursements are delinquent due to COVID-19 (EmR 2011 – 2nd Ext.), for a period of 60 days through March 1, 2021..

Ayes: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

THAT THE JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2), STATS., EXTEND THE EFFECTIVE PERIOD OF AN EMERGENCY RULE OF THE DEPARTMENT OF WORKFORCE DEVELOPMENT, RELATING TO WAIVING INTEREST IN LIMITED CIRCUMSTANCES FOR EMPLOYERS SUBJECT TO REIMBURSEMENT FINANCING WHEN REIMBURSEMENTS ARE DELINQUENT DUE TO COVID-19 (EMR 2011 – 2ND EXT.), FOR A PERIOD OF 60 DAYS THROUGH MARCH 1, 2021. RECOMMENDED, Ayes 9, Noes 0

Roy Johnson
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

EmR 2014

Relating to: Covid-19 protections for migrant workers (DWD).

November 06, 2020 **Executive Session Held**

Present: (10) Senator Nass; Representative Ballweg;
Senators Stroebel, Craig, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.
Absent: (0) None.
Excused: (0) None.

Moved by Representative Hebl, seconded by Representative Ballweg that **EmR 2014** be recommended for Approve 60 day extension.

Ayes: (10) Senator Nass; Representative Ballweg;
Senators Stroebel, Craig, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

APPROVE 60 DAY EXTENSION RECOMMENDED, Ayes 10,
Noes 0

December 11, 2020 **Executive Session Held**

Present: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.
Absent: (1) Senator Craig.
Excused: (0) None.

Moved by Representative Hebl, seconded by Senator Nass that **EmR 2014** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Department of Workforce Development, relating to Covid-19 protections for migrant workers (EmR 2014 – 2nd Ext.), for a period of 60 days through March 8, 2021..

Ayes: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

THAT THE JOINT COMMITTEE FOR REVIEW OF
ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2),
STATS., EXTEND THE EFFECTIVE PERIOD OF AN
EMERGENCY RULE OF THE DEPARTMENT OF
WORKFORCE DEVELOPMENT, RELATING TO COVID-19
PROTECTIONS FOR MIGRANT WORKERS (EMR 2014 – 2ND
EXT.), FOR A PERIOD OF 60 DAYS THROUGH MARCH 8,
2021. RECOMMENDED, Ayes 9, Noes 0

Roy Johnson
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

EmR 2015

Relating to: fire prevention and electrical inspections (DSPS).

November 06, 2020 **Executive Session Held**

Present: (10) Senator Nass; Representative Ballweg;
Senators Stroebel, Craig, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Absent: (0) None.

Excused: (0) None.

Moved by Representative Hebl, seconded by Representative Ballweg that **EmR 2015** be recommended for Approve 60 day extension.

Ayes: (10) Senator Nass; Representative Ballweg;
Senators Stroebel, Craig, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

APPROVE 60 DAY EXTENSION RECOMMENDED, Ayes 10,
Noes 0

December 11, 2020 **Executive Session Held**

Present: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Absent: (1) Senator Craig.

Excused: (0) None.

Moved by Representative Hebl, seconded by Senator Nass that **EmR 2015** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Department of Safety and Professional Services, relating to inspections (EmR 2015 – 2nd Ext.), for a period of 60 days through March 19, 2021..

Ayes: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

THAT THE JOINT COMMITTEE FOR REVIEW OF
ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2),
STATS., EXTEND THE EFFECTIVE PERIOD OF AN
EMERGENCY RULE OF THE DEPARTMENT OF SAFETY
AND PROFESSIONAL SERVICES, RELATING TO
INSPECTIONS (EMR 2015 – 2ND EXT.), FOR A PERIOD OF
60 DAYS THROUGH MARCH 19, 2021. RECOMMENDED,
Ayes 9, Noes 0

Roy Johnson
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

EmR 2018

Relating to: employer contribution rates for 2021 (DWD).

November 06, 2020 **Executive Session Held**

Present: (10) Senator Nass; Representative Ballweg;
Senators Stroebel, Craig, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.
Absent: (0) None.
Excused: (0) None.

Moved by Representative Hebl, seconded by Representative Ballweg that **EmR 2018** be recommended for Approve 60 day extension.

Ayes: (10) Senator Nass; Representative Ballweg;
Senators Stroebel, Craig, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

APPROVE 60 DAY EXTENSION RECOMMENDED, Ayes 10,
Noes 0

December 11, 2020 **Executive Session Held**

Present: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.
Absent: (1) Senator Craig.
Excused: (0) None.

Moved by Representative Hebl, seconded by Senator Nass that **EmR 2018** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Department of Workforce Development, relating to employer contribution rates for 2021 (EmR 2018 – 2nd Ext.), for a period of 60 days through March 25, 2021..

Ayes: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

THAT THE JOINT COMMITTEE FOR REVIEW OF
ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2),
STATS., EXTEND THE EFFECTIVE PERIOD OF AN
EMERGENCY RULE OF THE DEPARTMENT OF
WORKFORCE DEVELOPMENT, RELATING TO EMPLOYER
CONTRIBUTION RATES FOR 2021 (EMR 2018 – 2ND EXT.),
FOR A PERIOD OF 60 DAYS THROUGH MARCH 25, 2021.
RECOMMENDED, Ayes 9, Noes 0

Roy Johnson
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

EmR 2020

Relating to: extending the deadline for applicants to complete multi-part examinations administered by the department (DSPS).

November 06, 2020 **Executive Session Held**

Present: (10) Senator Nass; Representative Ballweg;
Senators Stroebel, Craig, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Absent: (0) None.

Excused: (0) None.

Moved by Representative Hebl, seconded by Representative Ballweg that **EmR 2020** be recommended for Approve 60 day extension.

Ayes: (10) Senator Nass; Representative Ballweg;
Senators Stroebel, Craig, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

APPROVE 60 DAY EXTENSION RECOMMENDED, Ayes 10,
Noes 0

December 11, 2020 **Executive Session Held**

Present: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Absent: (1) Senator Craig.

Excused: (0) None.

Moved by Representative Hebl, seconded by Senator Nass that **EmR 2020** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Department of Safety and Professional Services, relating to examinations (EmR 2020 – 2nd Ext.), for a period of 60 days through April 3, 2021..

Ayes: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

THAT THE JOINT COMMITTEE FOR REVIEW OF
ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2),
STATS., EXTEND THE EFFECTIVE PERIOD OF AN
EMERGENCY RULE OF THE DEPARTMENT OF SAFETY
AND PROFESSIONAL SERVICES, RELATING TO
EXAMINATIONS (EMR 2020 – 2ND EXT.), FOR A PERIOD
OF 60 DAYS THROUGH APRIL 3, 2021. RECOMMENDED,
Ayes 9, Noes 0

Roy Johnson
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

EmR 2024

Relating to: procedures for dismissal of faculty (UWS).

December 11, 2020 **Executive Session Held**

Present: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirsch;
Representatives Neylon, Quinn, Hebl and
Subeck.
Absent: (1) Senator Craig.
Excused: (0) None.

Moved by Representative Hebl, seconded by Senator Nass that **EmR 2024** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Board of Regents of the University of Wisconsin System, relating to procedures for dismissal of faculty (EmR 2024 – 1st Ext.), for a period of 60 days through March 11, 2021..

Ayes: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirsch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

THAT THE JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2), STATS., EXTEND THE EFFECTIVE PERIOD OF AN EMERGENCY RULE OF THE BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM, RELATING TO PROCEDURES FOR DISMISSAL OF FACULTY (EMR 2024 – 1ST EXT.), FOR A PERIOD OF 60 DAYS THROUGH MARCH 11, 2021. RECOMMENDED, Ayes 9, Noes 0

Roy Johnson
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

EmR 2025

Relating to: procedures for dismissal of faculty in special cases (UWS).

December 11, 2020 **Executive Session Held**

Present: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirsch;
Representatives Neylon, Quinn, Hebl and
Subeck.
Absent: (1) Senator Craig.
Excused: (0) None.

Moved by Representative Hebl, seconded by Senator Nass that **EmR 2025** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Board of Regents of the University of Wisconsin System, relating to procedures for dismissal of faculty in special cases (EmR 2025 – 1st Ext.), for a period of 60 days through March 11, 2021..

Ayes: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirsch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

THAT THE JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2), STATS., EXTEND THE EFFECTIVE PERIOD OF AN EMERGENCY RULE OF THE BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM, RELATING TO PROCEDURES FOR DISMISSAL OF FACULTY IN SPECIAL CASES (EMR 2025 – 1ST EXT.), FOR A PERIOD OF 60 DAYS THROUGH MARCH 11, 2021. RECOMMENDED, Ayes 9, Noes 0

Roy Johnson
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

EmR 2026

Relating to: addressing allegations of sexual misconduct against faculty, academic staff, and students of the University of Wisconsin System (UWS).

December 11, 2020 **Executive Session Held**

Present: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Absent: (1) Senator Craig.

Excused: (0) None.

Moved by Representative Hebl, seconded by Senator Nass that **EmR 2026** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Board of Regents of the University of Wisconsin System, relating to addressing allegations of sexual misconduct against faculty, academic staff, and students of the University of Wisconsin System (EmR 2026 – 1st Ext.), for a period of 60 days through March 11, 2021..

Ayes: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

THAT THE JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2), STATS., EXTEND THE EFFECTIVE PERIOD OF AN EMERGENCY RULE OF THE BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM, RELATING TO ADDRESSING ALLEGATIONS OF SEXUAL MISCONDUCT AGAINST FACULTY, ACADEMIC STAFF, AND STUDENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM (EMR 2026 – 1ST EXT.), FOR A PERIOD OF 60 DAYS THROUGH MARCH 11, 2021. RECOMMENDED, Ayes 9, Noes 0

Roy Johnson
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

EmR 2027

Relating to: Nonacademic student misconduct (UWS).

December 11, 2020 **Executive Session Held**

Present: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Absent: (1) Senator Craig.

Excused: (0) None.

Moved by Representative Hebl, seconded by Senator Nass that **EmR 2027** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Board of Regents of the University of Wisconsin System, relating to nonacademic student misconduct (EmR 2027 – 1st Ext.), for a period of 60 days through March 11, 2021..

Ayes: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

THAT THE JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2), STATS., EXTEND THE EFFECTIVE PERIOD OF AN EMERGENCY RULE OF THE BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM, RELATING TO NONACADEMIC STUDENT MISCONDUCT (EMR 2027 – 1ST EXT.), FOR A PERIOD OF 60 DAYS THROUGH MARCH 11, 2021. RECOMMENDED, Ayes 9, Noes 0

Roy Johnson
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

EmR 2029

Relating to: certification of programs for training and testing nurse aides and feeding assistants (DHS).

December 11, 2020 **Executive Session Held**

Present: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Absent: (1) Senator Craig.

Excused: (0) None.

Moved by Representative Hebl, seconded by Senator Nass that **EmR 2029** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Department of Health Services, relating to certification of programs for training and testing nurse aides and feeding assistants (EmR 2029 – 1st Ext.), for a period of 60 days through March 7, 2021..

Ayes: (9) Senator Nass; Representative Ballweg;
Senators Stroebel, Larson and Wirch;
Representatives Neylon, Quinn, Hebl and
Subeck.

Noes: (0) None.

THAT THE JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2), STATS., EXTEND THE EFFECTIVE PERIOD OF AN EMERGENCY RULE OF THE DEPARTMENT OF HEALTH SERVICES, RELATING TO CERTIFICATION OF PROGRAMS FOR TRAINING AND TESTING NURSE AIDES AND FEEDING ASSISTANTS (EMR 2029 – 1ST EXT.), FOR A PERIOD OF 60 DAYS THROUGH MARCH 7, 2021. RECOMMENDED, Ayes 9, Noes 0

Roy Johnson
Committee Clerk