

Wisconsin Administrative Register

No. 675



Publication Date: March 14, 2012

Effective Date: March 15, 2012



Legislative Reference Bureau
<http://www.legis.state.wi.us/rsb/code.htm>



WISCONSIN ADMINISTRATIVE REGISTER

The Wisconsin Administrative Register is published twice monthly by the Legislative Reference Bureau.

NOTICE TO READERS: Beginning with the Mid-March Register, No. 675, the Administrative Register will be posted on the Internet upon completion of the pre-printing preparation of the Register, approximately 10 to 12 days prior to the stated publication date. Administrative Code chapters inserted into the Administrative Code in end-of-month registers will be accessible from the Internet Register upon posting from the Administrative Code Chapters Inserted and Removed by this Register link of the first page of the Register. Administrative Code chapters will be inserted into the Administrative Code on, or shortly before, the publication date.

(Print Register only) The Internet address for the Administrative Register is: <http://legis.wisconsin.gov/rsb/regindex.htm>

Questions, comments, or corrections should be directed to:

Bruce Hoesly (608) 266-7590
email: bruce.hoesly@legis.wisconsin.gov

The Wisconsin Administrative Register and Administrative Code may be obtained from the:

Department of Administration
Office of Document Sales
(608) 266-3358
and may be accessed on the internet at:
<http://www.legis.state.wi.us/rsb/code.htm>

Table of Contents

Emergency Rules Now in Effect.**Pages 4 to 7**

Children and Families:

Safety and Permanence, Chs. DCF 37–59Create sections DCF 57.485 and 57.49 (1) (am), relating to determination of need for new group homes. **EmR1034**

Employment Relations Commission:

Create Chapters ERC 70 to 74 and ERC 80, relating to initial annual certification elections. **EmR1113**

Insurance:

Revise Chapter Ins 18, relating to grievances and independent review requirements and affecting small business. **EmR1117**Repeal EmR1117 which was to revise **Chapter Ins 18**, relating to grievances and independent review requirements, and affecting small business. **EmR1119**

Justice:

Create Chapter Jus 17 and Chapter Jus 18, relating to licenses authorizing persons to carry concealed weapons; concealed carry certification cards for qualified former federal law enforcement officers; and the certification of firearms safety and training instructors. **EmR1114**Create section Jus 17.13, relating to the recognition by Wisconsin of concealed carry licenses issued by other states. **EmR1115**

Natural Resources:

Fish, Game, etc., Chs. NR 1—Repeal section NR 40.02 (28m), amends section NR 40.04 (3m), and repeals and recreates section NR 40.07 (8), relating to the identification, classification and control of invasive species. **EmR1045**Amend section NR 25.05 (1) (c), relating to commercial fishing in outlying waters. **EmR1116**

Revenue:

Revise section Tax 7.23, relating to the activities of brewers, bottlers, out-of-state shippers, and wholesalers. **EmR1201**Safety and Professional Services:
(formerly Regulation and Licensing)Create section RL 91.01 (3) (k), relating to training and proficiency in the use of automated external defibrillators for certification as a massage therapist or bodyworker. **EmR0827****Scope Statements.****Pages 8 to 11**

Government Accountability Board:

Amends section GAB 2.05 (8) and clarifies that only the signer of an election-related petition may complete the signer's name, number of the residential street address, and specific date on the petition, and that a signer or circulator may complete the signer's residential street and municipality data as well as the month and year of signing. The rule would also clarify that one individual may sign as both a signer and circulator of a petition. **SS 014–12**

Creates new section of GAB Chapter 10 and clarifies that accredited universities and colleges which issue an identification card for voting purposes may use an adhesive sticker to affix certain required information on the identification card, including the cardholder's signature as well as the issuance and expiration dates of the card. **SS 015-12**

Public Service Commission:

Revises Chapters PSC 102, 162, 163, 164, 165, and 174, relating to rule changes for conformity to 2011 Wisconsin Act 22. **SS 013-12**

Hearing Notices.

Pages 12 to 15

Safety and Professional Services — Barbering and Cosmetology Examining Board:

Proposed rulemaking (without public hearing) to revise Chapters BC 2 and 6, relating to supervision of apprentices during practical training. **CR 12-016**

Submittal of Proposed Rules to Legislature.

Pages 16 to 17

Employee Trust Funds:

Revise Chapters ETF 10, 11, 20, 40, 50, 52, 60 and 70, relating to technical and minor substantive changes in existing ETF administrative rules. **CR 11-040**

Revises Chapter ETF 20, relating to the division of Wisconsin retirement system accounts under a qualified domestic relations order. **CR 11-041**

Revises Chapters ETF 10 and 20, relating to rehired annuitants and separation from employment. **CR 11-042**

Revises Chapter ETF 11, relating to the ETF appeals process. **CR 11-044**

Insurance:

Creates section Ins 2.18, relating to life settlements and affecting small business. **CR 10-151**

Justice:

Amends section Jus 10.11 (1) and creates sections Jus 10.01 (4m) and Jus 10.095, relating to firearms restriction records searches. **CR 11-036**

Natural Resources:

Fish, Game, etc., Chs. NR 1—

Revises Chapter NR 25, relating to commercial fishing in Green Bay and Lake Michigan. **CR 11-049**

Revises Chapters NR 50 and 64, relating to administration of outdoor recreation program grants and state aids (County Snowmobile Aids) and all terrain vehicles. **CR 11-050**

Revenue:

Creates section Tax 11.10, relating to wind, solar, and certain gas powered products. **CR 11-052**

Safety and Professional Services — Dentistry Examining Board:

Revises Chapters DE 2 and 13, relating to CPR training for licensure renewal for dentists and dental hygienists and related to licensure renewal and continuing education for dentists and dental hygienists. **CR 11-033**

Revises Chapters DE 1 and 2, relating to active practice of dentistry, specialty certification, and faculty licenses. These proposed rules relate to the active practice of dentistry, specialty certification, and faculty licenses. **CR 11-034**

Revises Chapters DE 2, 6 and 7, relating to CPR training for licensure renewal for dentists and dental hygienists and related to certification of dental hygienists to administer local anesthesia, and unprofessional advertising for dentists. **CR 11-035**

Rule Orders Filed with the Legislative Reference Bureau.

Page 18

Safety and Professional Services — Barbering and Cosmetology Examining Board:

Revises Chapters BC 1, 9 and 11, relating to late renewal and continuing education. **CR 11-011**

Public Notices.

Pages 19 to 22

Health Services:

Changes to Personal Care Worker Travel Time Reimbursement Rates.

Natural Resources:

Notice of Public Informational Hearings.

Emergency Rules Now in Effect

Under s. 227.24, Stats., state agencies may promulgate rules without complying with the usual rule-making procedures. Using this special procedure to issue emergency rules, an agency must find that either the preservation of the public peace, health, safety or welfare necessitates its action in bypassing normal rule-making procedures.

Emergency rules are published in the official state newspaper, which is currently the Wisconsin State Journal. Emergency rules are in effect for 150 days and can be extended up to an additional 120 days with no single extension to exceed 60 days.

Occasionally the Legislature grants emergency rule authority to an agency with a longer effective period than 150 days or allows an agency to adopt an emergency rule without requiring a finding of emergency.

Extension of the effective period of an emergency rule is granted at the discretion of the Joint Committee for Review of Administrative Rules under s. 227.24 (2), Stats.

Notice of all emergency rules which are in effect must be printed in the Wisconsin Administrative Register. This notice will contain a brief description of the emergency rule, the agency finding of emergency or a statement of exemption from a finding of emergency, date of publication, the effective and expiration dates, any extension of the effective period of the emergency rule and information regarding public hearings on the emergency rule.

Copies of emergency rule orders can be obtained from the promulgating agency. The text of current emergency rules can be viewed at www.legis.state.wi.us/rsb/code.

Beginning with rules filed with the Legislative Reference Bureau in 2008, the Legislative Reference Bureau will assign a number to each emergency rule filed, for the purpose of internal tracking and reference. The number will be in the following form: EmR0801. The first 2 digits indicate the year of filing and the last 2 digits indicate the chronological order of filing during the year.

Children and Families

Safety and Permanence, Chs. DCF 37–59

EmR1034 — Rule adopted to create **sections DCF 57.485 and 57.49 (1) (am)**, relating to determination of need for new group homes.

Exemption From Finding of Emergency

Section 14m (b) of 2009 Wisconsin Act 335 provides that the department is not required to provide evidence that promulgating a rule under s. 48.625 (1g), Stats., as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency.

Section 14m (b) also provides that notwithstanding s. 227.24 (1) (c) and (2), Stats., an emergency rule promulgated under s. 48.625 (1g), Stats., remains in effect until the permanent rules promulgated under s. 48.625 (1g), Stats., take effect.

Publication Date: September 2, 2010
Effective Dates: September 2, 2010 through the date permanent rules become effective
Hearing Date: October 21, 2010

Employment Relations Commission

EmR1113 — Rule adopted to create Chapters **ERC 70 to 74** and **ERC 80**, relating to initial annual certification elections.

These emergency rules were approved by the governor on September 13, 2011.

The statement of scope for this rule, SS 004–11, was approved by the governor on July 20, 2011, published in Register 667, on July 31, 2011, and approved by the Wisconsin Employment Relations Commission as required by s. 227.135 (2) on August 15, 2011.

Finding of Emergency

An emergency exists because the public peace, health, safety and welfare necessitate putting these rules into effect so that the Wisconsin Employment Relations Commission can meet its election obligations under ss. 111.70 (4) (d) 3. b. and 111.83 (3) (b), Stats., and nonstatutory provisions ss. 9132 (1) (b) and 9155 (1) (b) of 2011 Wisconsin Act 10 as amended by nonstatutory provisions ss. 3570f and 3570h of 2011 Wisconsin Act 32.

Publication Date: September 15, 2011
Effective Dates: September 15, 2011 thru February 12, 2012
Extension Through: April 12, 2012
Hearing Date: February 2, 2012

Insurance (2)

1. EmR1117 — Rule adopted to revise **Chapter Ins 18**, relating to grievances and independent review requirements and affecting small business.

The statement of scope for this rule, SS 027–11 Ch. Ins 18, was approved by the governor on September 30, 2011, published in Register No. 670, on October 14, 2011, and approved by the Commissioner Theodore Nickel on October 26, 2011. The emergency rule was approved by the governor on November 3, 2011.

Finding of Emergency

The Commissioner of Insurance finds that an emergency exists and that the attached proposed emergency rule is necessary for the immediate preservation of the public peace, health, safety, or welfare. Portions of Wisconsin's insurance law and regulations governing grievances and independent review processes are in conflict with federal law and regulation following the amendment of 42 USC 300gg 19 (a)

and (b), as implemented by 45 CFR 147.136, as amended. Therefore, the Commissioner, pursuant to s. 631.01 (5), Stats., has determined that it is in the interest of the State of Wisconsin, Wisconsin insureds and the public to exempt insurers, certified independent review organizations and self-insured governmental health plans that elect to comply with ch. Ins 18, Wis. Adm. Code, as revised, from being required to comply with provisions contained in s. 632.83 and 632.835, Stats., that are inconsistent with 42 USC 300gg-19 (a) and (b), and 45 CFR 147.136 et seq., as amended.

Facts constituting the emergency arise from the desire for the State of Wisconsin to retain jurisdiction and regulatory control over the grievance and the independent review processes and independent review organizations operating in the state. The Secretary of the US Department of Health and Human Services issued interim final regulations and guidance, most recently released late June 2011. The regulations require states that desire to retain regulatory oversight of the grievance and independent external review processes, to demonstrate compliance with the federal internal appeal and external review laws and regulations to the Center for Consumer Information and Insurance Oversight (“CCIIO”). The Commissioner received notice on July 29, 2011, from CCIIO that Wisconsin’s current regulatory oversight is not compliant.

The Commissioner has requested reconsideration of that initial determination, however, to ensure retention of regulatory oversight of the grievance and independent external review processes revisions to ch. Ins 18, Wis. Adm. Code, must be made and be applicable for claims arising on or after January 1, 2012. Assembly Bill 210 has been introduced, a bill that repeals inconsistent provisions in accordance with federal requirements, but it is unlikely that AB 210 will be enrolled within the reconsideration timeframe. Therefore the Commissioner is proposing this emergency rule to comply with the federal requirements in order to retain regulatory jurisdiction of grievance and independent review processes.

Publication Date: November 16, 2011

Effective Dates: November 16, 2011 through April 13, 2012

Repealed by EmR1119: December 29, 2011

2. EmR1119 — Rule to repeal EmR1117, which was to revise **Chapter Ins 18**, relating to grievances and independent review requirements, and affecting small business.

The emergency rule was approved by the governor on December 27, 2011.

The statement of scope SS 045-11 was approved by the governor on December 1, 2011, and published December 14, 2011 in Register No. 672. The Statement of Scope was signed by Commissioner Nickel on December 24, 2011.

Finding of Emergency

The Commissioner of Insurance finds that an emergency exists and that the attached proposed emergency rule is necessary for the immediate preservation of the public peace, health, safety, or welfare. Emergency Rule 1117 (EmR1117), was effective November 16, 2011 and is to be first applicable on January 1, 2012. EmR1117 contained provisions modifying Wisconsin’s insurance regulations governing grievances and independent review processes to comply with federal law provisions of 42 USC 300gg 19 (a) and (b), as implemented by 45 CR 147.136, as amended. It has been determined that this may not be in the best interest of the state.

The proposed emergency rule will repeal EmR1117 in its entirety and maintain Wisconsin’s prior existing regulations and oversight of the grievance and independent review process. To avoid full implementation of EmR1117 and industry and consumer confusion, the Commissioner has determined that this emergency rule must be effective prior to January 1, 2012.

Publication Date: December 29, 2011

Effective Dates: December 29, 2011 through May 26, 2012

Hearing Date: January 26, 2012

Justice (2)

1. EmR1114 — Rule to create **Chapter Jus 17** and **Chapter Jus 18**, relating to licenses authorizing persons to carry concealed weapons; concealed carry certification cards for qualified former federal law enforcement officers; and the certification of firearms safety and training instructors.

This emergency rule was approved by the governor on October 14, 2011.

The statement of scope for this rule, SS 020-11, was approved by the governor on August 31, 2011, published in Register No. 669, on September 14, 2011, and approved by Attorney General J.B. Van Hollen on September 26, 2011.

Finding of Emergency

Under section 101 of 2011 Wis. Act 35, most of the provisions of that Act — including the provisions governing the licensing and certification processes covered by the rules proposed here and the provisions authorizing the carrying of a concealed weapon by the holder of a license, an out-of-state license, or a certification card — will have an effective date of November 1, 2011. In particular, s. 175.60 (9), Stats., will require DOJ to begin receiving and processing license applications and issuing or denying licenses as soon as that provision takes effect on November 1, 2011. The Legislature has thus determined that the public welfare requires the licensing system to take effect on November 1, 2011.

DOJ cannot comply with the requirements of s. 175.60 (9), Stats., and related statutory requirements until it has in effect administrative rules establishing the procedures and standards that will govern DOJ’s enforcement and administration of those requirements. It follows that, in order for DOJ to meet its statutory duties that take effect on November 1, 2011, it must complete the promulgation of such administrative rules prior to that date.

Under the non-emergency rulemaking procedures of ch. 227, Stats., before the proposed rules could be promulgated, numerous notice, hearing, and publication requirements would have to be fulfilled — including, but not limited to a public hearing on the proposed rules, preparation of a detailed report including a summary of public comments and DOJ’s responses to those comments, and legislative review of the proposed rules. DOJ has determined that it is impossible for all of the required steps in that non-emergency rulemaking process to be completed by November 1, 2011. Only if DOJ utilizes the emergency rulemaking procedures of s. 227.24, Stats., can the requisite rules be promulgated and in effect in time for DOJ to meet its statutory duties that take effect on November 1, 2011. The public welfare thus necessitates that the proposed rules be promulgated as emergency rules under s. 227.24, Stats. Once the proposed emergency rules have been promulgated, DOJ will promptly follow up with the promulgation of a permanent version of the rules under the full rulemaking procedures.

Publication Date: October 25, 2011
Effective Dates: November 1, 2011 through March 29, 2012
Extension Through: April 12, 2012

2. EmR1115 — Rule to create **section Jus 17.13**, relating to the recognition by Wisconsin of concealed carry licenses issued by other states.

This emergency rule was approved by the governor on October 14, 2011.

The statement of scope for this rule, SS 009–11, was approved by the governor on August 4, 2011, published in Register No. 668, on August 31, 2011, and approved by Attorney General J.B. Van Hollen on September 12, 2011.

Finding of Emergency

Section 100 (1) of 2011 Wis. Act 35 expressly authorizes and requires DOJ to use the emergency rulemaking procedures of s. 227.24, Stats., to promulgate the emergency rule required under s. 165.25 (12), Stats., and further provides that DOJ is not required to provide evidence that promulgating this rule as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare.

Publication Date: October 25, 2011
Effective Dates: November 1, 2011 through March 29, 2012

Natural Resources (2)

Fish, Game, etc., Chs. NR 1–

1. EmR1045 (DNR # IS–07–11(E)) — Rule to repeal **section NR 40.02 (28m)**, to amend **section NR 40.04 (3m)**, and to repeal and recreate **section NR 40.07 (8)**, (all as created by Natural Resource Board emergency order EmR1039, DNR # IS–49–10(E)), relating to the identification, classification and control of invasive species.

Exemption From Finding of Emergency

Section 227.24 (1) (a), Stats., authorizes state agencies to promulgate a rule as an emergency rule without complying with the notice, hearing and publication requirements under Ch. 227, Stats., if preservation of the public peace, health, safety or welfare necessitates putting the rule into effect prior to the time it would take effect if the agency complied with the procedures. However, s. 23.22 (2t) (a), Stats., authorizes the department to promulgate emergency rules to identify, classify, or control an invasive species without having to provide evidence that an emergency rule is necessary for the preservation of public peace, health, safety, or welfare or to provide a finding of emergency. **In addition, such emergency rules may remain in effect until whichever of the following occurs first: the first day of the 25th month beginning after the effective date of the emergency rule, the effective date of the repeal of the emergency rule, or the date on which the permanent rule identifying, classifying, or controlling the invasive species, promulgated under s. 23.22 (2) (b) 6., Stats., takes effect.**

Publication Date: December 13, 2010
Effective Dates: December 13, 2010 through
See bold text above

2. EmR1116 — Rule to amend **section NR 25.05 (1) (c)**, relating to commercial fishing in outlying waters.

This emergency rule was approved by the governor on October 19, 2011.

The statement of scope for this rule, SS 023–11, was approved by the governor on September 15, 2011, published in Register No. 669, on September 30, 2011, and approved by The Natural Resources Board on October 26, 2011.

Finding of Emergency

The Department of Natural Resources finds that an emergency exists and the rule is necessary for the immediate preservation of the public peace, health, safety or welfare. A statement of facts constituting the emergency is:

The current commercial season for whitefish from Lake Michigan and Green Bay closes one week before the season closure for state–licensed fishers in the State of Michigan. This limitation on fishing opportunities threatens the welfare of state–licensed commercial fishers in Wisconsin and makes these Wisconsin businesses less competitive with counterparts in Michigan. The additional business revenue, approximately \$161,300, and improved competitiveness of the commercial fishing industry, rises to the standard of preservation and improvement of the public welfare required for emergency rule making.

The number of commercial fishers has been declining over the last 20 years from 145 to 57. While some of this decline has been due to consolidation, some of the reduction is due to adverse economics of the industry. This rule requires emergency action to enhance public welfare as it applies to the economic health of the commercial fishing industry, which requested this rule change.

Publication Date: October 26, 2011
Effective Dates: October 26, 2011 through March 23, 2012

Revenue

EmR1201 — Rule to revise **section Tax 7.23**, relating to the activities of brewers, bottlers, out–of–state shippers, and wholesalers.

The scope statement for this rule, SS 018–11, was approved by the governor on August 16, 2011, published in Register No. 669 on September 14, 2011, and approved by the Secretary of Revenue on September 26, 2011.

Finding of Emergency

The Department of Revenue finds that an emergency exists and that the rule order is necessary for the immediate preservation of the public peace, health, safety or welfare. A statement of the facts constituting the emergency is:

The emergency rule is to administer the provisions of ss. 125.28 (5) (e) and 125.29 (3), Stats., as created by 2011 Wisconsin Act 32, and reflect revisions made by the Act to the authorized activities of persons holding wholesalers' and brewers' permits.

It is necessary to promulgate this rule order so that the above provisions may be administered in a fair and consistent manner.

This rule is therefore promulgated as an emergency rule and shall take effect upon publication in the official state newspaper. Certified copies of this rule have been filed with the Legislative Reference Bureau, as provided in s. 227.24, Stats.

Publication Date: January 27, 2012
Effective Dates: January 27, 2012 through June 24, 2012
Hearing Date: February 27, 2012

Safety and Professional Services
(Formerly Regulation and Licensing)

EmR0827 — Rule adopted creating **section RL 91.01 (3) (k)**, relating to training and proficiency in the use of automated external defibrillators for certification as a massage therapist or bodyworker.

Exemption From Finding of Emergency

Section 41 (2) (b) of the nonstatutory provisions of 2007 Wisconsin Act 104 provides that notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department of regulation and licensing is not required to provide evidence

that promulgating a rule as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated to implement 2007 Wisconsin Act 104. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules will remain in effect until the date on which the final rules take effect.

Publication Date: September 10, 2008
Effective Dates: September 10, 2008
through the date on which
the final rules take effect
Hearing Date: November 26, 2008
April 13, 2009

Scope Statements

Government Accountability Board

SS 014-12

This statement of scope was approved by the governor on January 13, 2012.

Subject

Amends section GAB 2.05 (8) and clarifies that only the signer of an election-related petition may complete the signer's name, number of the residential street address, and specific date on the petition, and that a signer or circulator may complete the signer's residential street and municipality data as well as the month and year of signing. The rule would also clarify that one individual may sign as both a signer and circulator of a petition.

Objective of the Rule

The proposed rule implements a directive from the Joint Committee for the Review of Administrative Rules (JCRAR). The directive requires the Government Accountability Board (G.A.B.) to promulgate an emergency rule specifying that no one other than the signer or the circulator may prepare an election-related petition with a signer's residential address information or the full date of signing pre-populated.

Emergency Rule Authority

The agency is authorized to promulgate the rule as an emergency rule because it has been directed to do so by the Joint Committee for the Review of Administrative Rules pursuant to Wis. Stats. ss. 227.10 (1), 227.26 (2).

Permanent Rule

The agency plans to promulgate this rule as both an emergency rule and a permanent rule. This scope statement is submitted in support of both the emergency rule and the permanent rule.

Policy Analysis

Sections 8.40 and 9.10, Stats., establish the requirements governing election-related petitions, and those standards are further outlined in GAB Chapter 2, Wis. Adm. Code. The proposed administrative rule clarifies the following specific standards and procedures related to the signing and circulating of election-related petitions:

1. Only the signer of an election-related petition may complete the signer's name, number of the residential street address, and numeric portion of the signature date on the petition.
2. Only the signer or circulator of an election-related petition may complete the data containing the signer's residential street and municipality as well as the month and year of signing.
3. All other information contained on the petition related to a signer may be pre-filled or pre-populated.
4. An individual may sign an election-related petition as both a signer and circulator provided that one signature is executed as the signer and the other signature attests to the circulator's certification.

The above standards and requirements are consistent with applicable statutes, current administrative rules, and longstanding practices of parties gathering signatures for nomination papers and recall and referendum petitions. Section 8.40 (1), Stats., states that "Each signer of such a petition shall affix his or her signature to the petition, accompanied by his or her municipality of residence for voting purposes, the street and number, if any, on which the signer resides, and the date of signing." Section 8.40 (3), Stats., also provides that the Government Accountability Board, "shall, by rule, prescribe standards consistent with this chapter and s. 9.10 (2) to be used by all election officials and governing bodies in determining the validity of petitions for elections and signatures thereon."

GAB Chapter 2, Wis. Adm. Code, outlines more specific requirements and rules related to election-related petitions. With regard to the ability of petition circulators to complete some information related to petition signers, Section GAB 2.05 (4) states:

Any information which appears on a nomination paper is entitled to a presumption of validity. Notwithstanding any other provision of this chapter, errors in information contained in a nomination paper, committed by either a signer or a circulator, may be corrected by an affidavit of the circulator, an affidavit of the candidate, or an affidavit of a person who signed the nomination paper. The person giving the correcting affidavit shall have personal knowledge of the correct information and the correcting affidavit shall be filed with the filing officer not later than three calendar days after the applicable statutory due date for the nomination papers.

Rules pertaining to election-related petitions apply consistently to nomination papers, referendum petitions, and recall petitions. Sec. 8.40 (1), Stats.; Sec. GAB 2.09 (5), Wis. Adm. Code.

At its meeting of November 9, 2011, the G.A.B. determined that, pursuant to current statutes and administrative rules, no one other than the signer or the circulator may prepare an election-related petition with a signer's complete residential address information or the full date of signing pre-populated, but that election-related petitions may have the municipality of residence and the month or year of signing pre-populated on a petition. The G.A.B. also determined that if the circulator of an election-related petition is also a signer of the petition, then the individual must sign once in the section of the form designed to collect information from qualified electors and a second time in the section of the form designed to obtain a certification from the circulator.

On November 15, 2011, the Joint Committee for the Review of Administrative Rules adopted a motion finding that the G.A.B.'s actions regarding pre-filling or pre-populating information on election-related petitions is a statement of policy that meets the definition of a rule pursuant to Chapter 227 of the Wisconsin Statutes.

Statutory Authority

The Board issued its determination pursuant to its responsibility and authority to issue advisory opinions under

section 5.05 (6a), Stats., to conduct voter education under section 5.05 (12), Stats., and to prescribe standards to be used determining the validity of petitions for elections and petition signatures. However, given the directive of JCRAR, section 5.05 (1) (f) Stats., provides explicit authority for the G.A.B. to promulgate rules to ensure the proper administration of elections. Section 227.11 (2) (a), Stats., provides clear authority for the G.A.B. to promulgate rules to ensure the proper administration of statutes under its jurisdiction, which includes laws related to the administration of elections. Finally, Section 8.40 (3), Stats., also provides specific authority that the Government Accountability Board, “shall, by rule, prescribe standards consistent with this chapter and s. 9.10 (2) to be used by all election officials and governing bodies in determining the validity of petitions for elections and signatures thereon.”

Comparison with Federal Regulations

Federal law does not address or establish standards or rules for the completion or review of election-related petitions.

Entities Affected by the Rules

Election-related petition signers and circulators will be affected by this rule. Election filing officers including the G.A.B., and county, municipal, and school district clerks will also be affected by this rule in their review of election-related petitions. The rule does not impact businesses, private economic sectors or public utility ratepayers.

Economic Impact

The rule will have minimal or no impact on the governmental entities impacted by the rule. The rule’s impact in the first instance is on petition signers and circulators who are responsible for completing the petitions properly. Filing officers who accept those petitions, including the G.A.B. and municipal, county and school district clerks are required to certify whether a particular election-related petition is sufficient or insufficient. The rule would clarify the standards to be used by filing officers in reviewing such petitions.

Estimate of Time Needed to Develop the Rules

40 hours.

Government Accountability Board

SS 015-12

This statement of scope was approved by the governor on January 13, 2012.

Subject

Creates new section of GAB Chapter 10 and clarifies that accredited universities and colleges which issue an identification card for voting purposes may use an adhesive sticker to affix certain required information on the identification card, including the cardholder’s signature as well as the issuance and expiration dates of the card.

Objective of the Rule

The proposed rule implements a directive from the Joint Committee for the Review of Administrative Rules (JCRAR). The directive requires the Government Accountability Board (G.A.B.) to promulgate an emergency rule specifying that adhesive stickers may be used to affix certain required information to identification cards issued by accredited institutions for the purpose of voting.

Emergency Rule Authority

The agency is authorized to promulgate the rule as an emergency rule because it has been directed to do so by the Joint Committee for the Review of Administrative Rules pursuant to Wis. Stats. ss. 227.10 (1), 227.26 (2).

Permanent Rule

The agency plans to promulgate this rule as both an emergency rule and a permanent rule. This scope statement is submitted in support of both the emergency rule and the permanent rule.

Policy Analysis

Sections 5.02 (6m) (f), Stats., describes one of the acceptable forms of identification that may be used to obtain an election ballot as follows:

An unexpired identification card issued by a university or college in this state that is accredited, as defined in s. 39.20 (1) (d), that contains the date of issuance and signature of the individual to whom it is issued and that contains an expiration date indicating that the card expires no later than 2 years after the date of issuance if the individual establishes that he or she is enrolled as a student at the university or college on the date that the card is presented.

Section 5.02 (16c), Stats., further provides that an acceptable form of proof of identification must contain the cardholder’s name and photograph.

At its meetings of September 12, 2011 and November 9, 2011, the G.A.B. adopted motions to permit accredited universities and colleges to use stickers on identification cards as a means of complying with the provisions of Section 5.02, Stats. The Board’s determination was made in response to inquiries from several public and private institutions indicating that current student identification cards would not comply with the requirements of the law and that they wished to consider using stickers to affix information to existing cards as a cost-effective method of providing voter-compliant proof of identification.

The Board’s analysis applied judicially accepted rules of statutory interpretation. It looked first to the plain language of the statute, which requires that identification cards must “contain” certain data. In the absence of an applicable statutory definition of college or university, the Board relied on commonly used dictionary definitions of the term “contain” which include “to have within” and “include.” The Board determined that permitting the cardholder’s signature and the issuance and expiration dates of the card to be affixed by an adhesive sticker with sufficient security and verification safeguards would comply with the provisions of Section 5.02, Stats.

The proposed rule would specify that stickers affixed to compliant identification cards (1) must be tamper-evident so that removal of the sticker would make it unusable; (2) must not obscure other information on card; (3) must include an indication that it was issued by the institution such as a school logo or identifier; (4) must be affixed by personnel of the institution; and (5) may contain only the cardholders signature and the issuance and expiration dates of the card.

On November 15, 2011, the Joint Committee for the Review of Administrative Rules adopted a motion finding that the G.A.B.’s action regarding the use of stickers on student identification cards is a statement of policy that meets the definition of a rule pursuant to Chapter 227 of the Wisconsin Statutes.

The alternative to promulgating this rule is to restrict the options for accredited institutions to comply with the

statutory requirements regarding photo identification cards and to require that all data be included as part of the originally-produced card at a higher cost to the institutions.

Statutory Authority

The Board issued its determination pursuant to its responsibility and authority to issue advisory opinions under Section 5.05 (6a), Stats., and to conduct voter education under Section 5.05 (12), Stats. However, given the directive of JCRAR, Section 5.05 (1) (f) Stats., provides explicit authority for the G.A.B. to promulgate rules to ensure the proper administration of elections. Section 227.11 (2) (a), Stats., provides clear authority for the G.A.B. to promulgate rules to ensure the proper administration of statutes under its jurisdiction, which includes laws related to the administration of elections.

Comparison with Federal Regulations

Federal law does not address or establish standards or rules for the issuance of photo identification cards for the purposes of obtaining an election ballot.

Entities Affected by the Rules

Accredited institutions desiring to issue photo identification cards to be used for voting purposes, as well as potential holders of such cards will be affected by this rule. Local election officials and poll workers who review identification cards as part of the voting process will also be affected by this rule. The rule does not impact businesses, private economic sectors or public utility ratepayers.

Economic Impact

The rule will have minimal or no impact on the governmental entities impacted by the rule, except to the extent that public universities or colleges desire to use adhesive stickers as a means of producing photo identification cards to be used for voting. The rule would clarify the options available for accredited institutions in issuing such cards.

Estimate of Time Needed to Develop the Rules

40 hours.

Public Service Commission

SS 013-12

(PSC Docket # 1-AC-237)

This statement of scope was approved by the governor on February 15, 2012.

Rule No.

Revises Wis. Admin. Code Chapters PSC 102, 162, 163, 164, 165, and 174.

Relating to

Rule Changes for Conformity to 2011 Wisconsin Act 22.

Description of the Objective of the Rule and Expected Financial Impact

The objective of the rulemaking is to remove, via repeal or amendment, all those Commission regulations relating to those retail telecommunications offerings, carrier reporting duties, and carrier service obligations that were removed from the Commission's jurisdiction by the enactment of 2011

Wisconsin Act 22, effective June 9, 2011. This rulemaking, however, does not include changes affecting universal service regulations as governed by Wis. Admin. Code Ch. PSC 160. Changes to that chapter's regulations will be implemented in a different rulemaking. This rulemaking will provide opportunities to simplify compliance procedures and thereby reduce costs. It is expected to have no or minimal increase in financial impact.

Description of Existing Policies Relevant to the Rule and of New Policies Proposed to be Included in the Rule and an Analysis of Policy Alternatives; the History, Background and Justification for the Proposed Rule

No new policies are being proposed. The purpose of the rulemaking is to reduce regulation by repeal, or appropriate narrowing amendment, the scope of applicable state regulation respecting retail telecommunications offerings. The degree of impact is expected to be wholly positive, offering carriers opportunities to simplify compliance procedures and thereby reduce costs with respect to internal management for compliance with state regulations.

Statutory Authority for the Rule (Including the Statutory Citation and Language)

This rulemaking is conducted by the Commission under Wis. Stat. ss. 196.02 (1) ("do all things necessary and convenient to its jurisdiction"); 196.03 ("The commission may adopt reasonable rules to . . . regulate the mode and manner of all . . . investigations and hearings"); and Wis. Stat. s. 196.44 (The commission . . . shall enforce all laws relating to public utilities . . ."). In addition, the Commission has general power granted to all state agencies under Wis. Stat. s. 227.11 (2) (a) ("Each agency may promulgate rules interpreting the provisions of any statute enforced or administered by it, if the agency considers it necessary to effectuate the purpose of the statute, . . .").

Estimate of the Amount of Time that State Employees will Spend to Develop the Rule and of Other Resources Necessary to Develop the Rule

The Commission estimates 150 hours of state employee time to develop the rule. No extraordinary resources are anticipated.

Description of all Entities that may be Impacted by the Rule

All telecommunications utilities, whether traditional incumbents or new competitors, will be favorably impacted by removal or amendment of rules no longer applicable due to Act 22. The changes reduce the potential for confusion or mistakes in effecting compliance with only those legal requirements Act 22 keeps intact.

Summary and Preliminary Comparison of any Existing or Proposed Federal Regulation that is Intended to Address the Activities to be Regulated by the Rule

No comparison with federal regulations is necessary because there are few federal rules analogous to those being eliminated. Historically, state retail regulation of telecommunications services, mostly local and intrastate in nature, has been left to the states and not subject to federal regulation at all. Regardless, the intent of this rulemaking to clarify those activities removed from state regulation benefits those who might otherwise have to observe both federal and state requirements with respect to those activities.

Contact Person

Michael S. Varda
(608) 267-3591

mike.varda@wisconsin.gov

Rule-Making Notices

Notice of Proposed Rulemaking Without Public Hearing

Safety and Professional Services— Barbering and Cosmetology Examining Board

CR 12-016

NOTICE IS HEREBY GIVEN that pursuant to authority vested in the Barbering and Cosmetology Examining Board, the Board will consider an order to promulgate the above-captioned rule-making proposal at the time and place indicated below. Under s. 227.16 (2) (b), Wis. Stats., no public hearing on this proposal is required as the amendments sought are solely for the purpose of bringing the existing rules into conformity with a statute that has been changed, s. 454.10 (3), Wis. Stats. (2007-08). The proposed rules revise Chapters BC 2 and 6, relating to supervision of apprentices during practical training.

Board Meeting Date, Time and Location

Date: Monday, April 2, 2012
Time: 9:30 A.M.
Location: 1400 East Washington Avenue
 Room 121A
 Madison, WI 53703

Submittal of Written Comments and Copies of Proposed Rule

Copies of this proposed rule and the Fiscal Estimate and Economic Impact Analysis are available upon request to Kris Anderson, Paralegal, Department of Safety and Professional Services, Division of Board Services, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708, or by email at Kristine1.Anderson@wisconsin.gov. Written comments about this proposal must be received prior to the Barbering and Cosmetology Examining Board's **April 2, 2012** meeting to be included in the record of these rule-making proceedings.

Analysis Prepared by the Department of Safety and Professional Services

Statutes interpreted

Sections 454.10 (1), and (3) (a) and (b), Stats., as amended by 2009 Wisconsin Act 189.

Statutory authority

Sections 15.08 (5) (b), 454.10 (10), Stats.

Related statutes and rules

There are no related statutes and rules other than those indicated above.

Explanation of agency authority

Pursuant to s. 15.08 (5) (b), Stats., the Barbering and Cosmetology Examining Board (Board) is required to “promulgate rules...for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular...profession[.]” over which it has authority. In addition, s. 454.10 (1), Stats.,

provides that “apprentices employed under an apprentice contract...shall be governed by...the rules of the [barbering and cosmetology] examining board.” Thus, the Board must promulgate administrative rules governing the barbering and cosmetology professions, including rules for apprentices.

Plain language analysis

This proposed rule-making amends ss. BC 2.07 (1g) and 6.04 (1) to reflect statutory changes resulting from the passage of 2009 Wisconsin Act 189 (Act 189). Prior to the passage of Act 189, the previous version of s. 454.10 (3), Stats., permitted supervision of apprentices by a licensed barbering or cosmetology manager only. Act 189 amended former s. 454.10 (3), Stats., creating paragraphs (a) and (b), and adding a provision in para. (a) that allows licensed managers to delegate apprentice supervision to a licensed practitioner who meets certain minimum qualifications. This proposal implements Act 189’s softening of the apprentice supervision law, affording barbering and cosmetology managers the option of delegating the supervision of his or her apprentice(s), and thus, alleviating some of the manager’s already numerous responsibilities.

SECTION 1 proposes to amend BC 2.07 (1g), the rule stating the responsibilities a barbering and cosmetology manager has for the licensees and apprentices under him or her. The amendment would add a clause to the existing rule’s second sentence to implement Act 189’s provision allowing delegation of apprentice supervision to a licensed barbering or cosmetology practitioner who has completed at least 2,000 hours of practice.

SECTION 2 would amend BC 6.04, which regards practical training requirements for apprentices. BC 6.04 (1) currently allows apprentice supervision by licensed barbering and cosmetology managers only, and thus, is not consistent with s. 454.03, Stats., as affected by Act 189. Similar to the amendment requested for BC 2.07 (1g), the proposed amendment to BC 6.04 (1) would add Act 189’s provision allowing a manager to delegate supervision of apprentices to a licensed practitioner who has completed at least 2,000 hours of practice.

SECTION 3 establishes the intended effective date of the amendments to ss. BC 2.07 (1g) and 6.04 (1), as the first day of the month that follows publication thereof.

Summary of, and comparison with, existing or proposed federal regulations

There are no existing or proposed federal regulations addressing barbering and cosmetology apprentice supervision.

Comparison with rules in adjacent states

Illinois:

Neither the Illinois Compiled Statutes (ILCS), nor the Illinois Administrative Code contain provisions regarding apprenticeship programs for barbers, cosmetologists, estheticians, hair braiders, or nail technologists. The Illinois Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 (Act of 1985) is found in the statutes regarding those five professions at 225 ILCS 410/3E-4. The statutes are administered by the Illinois Department of

Financial and Professional Regulation. The department's rules implementing the Act of 1985 are codified at Title 68, Chapter VII, Subchapter b, Part 1175. The Act of 1985 may be viewed at

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1351&ChapterID=24>.

The statutes created by the 1985 Act provide for unpaid student internships in the practice of hair braiding only, at 225 ILCS 410/3E. Hair-braiding interns may not spend more than 30 hours in an internship, and must be under the direct supervision of an on-site licensed cosmetologist or hair braider. The supervising cosmetologist or hair braider may supervise only one student at a time. See

<http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=022504100HArt%2E+IIIIE&ActID=1351&ChapterID=24&SeqStart=8100000&SeqEnd=8298437>.

The rules and regulations associated with the Act of 1985 are set forth at Title 68, Part 1175 of the Illinois Administrative Code. The code allows for unpaid student internships in cosmetology, 68 Ill. Admin. Code 1175.530 (h); esthetics, 168 Ill. Admin. Code 1175.835 (a) (5); nail technology, 68 Ill. Admin. Code 1175.1135 (a)(5); and hair braiding, 68 Ill. Admin. Code 1175.1535 (f), but is silent with respect to internships for barbers. See

<http://www.ilga.gov/commission/jcar/admincode/068/06801175sections.html>, and go to the curriculum requirements for the schools of each of the five professions.

Iowa:

No Iowa statutes (Iowa Code) specifically reference barbering or cosmetology apprenticeships or internships. However, the Iowa Code addresses apprenticeships for several technical trades and professions directly, and also contains a statute governing apprenticeship programs in general at s. 260C.44. The word "apprentice" is therein defined as "a person...who is employed in an apprenticeable occupation, and is registered with the United States department of labor, office of apprenticeship." Iowa Code s. 260.44 2.a. The United States Department of Labor, Office of Apprenticeship (DOLOA) maintains a list of apprenticeable professions on its website, which includes both barbering and cosmetology. Nevertheless, through telephone contact with the executive of the Iowa Board of Barbering, the Wisconsin board has learned that despite the barbering profession's presence on the DOLOA list, Iowa has neither a barbering apprenticeship or mentoring program. For the statutory definition of "apprentice," see Iowa Code s. 260.44 2.a. at

<http://search.legis.state.ia.us/nxt/gateway.dll/ic?f=templates&fn=default.htm>. To view the DOLOA list, see http://www.doleta.gov/oa/bul10/Bulletin_2010-05_List_of_Appren_Occ.pdf.

The sole Iowa Administrative Code (IAC) reference to "apprentice" related to either barbering or cosmetology appears in the rules governing barber schools, at s. 645 IAC 23.15. That rule permits a barbering student who completed apprenticeship hours in another state to apply those hours to Iowa's 2,100-hours course-of-study requirement for graduation from a barber school. The foreign apprenticeship hours are applicable to course-of-study requirement at the rate of four to one. See

<http://www.legis.iowa.gov/DOCS/ACO/IAC/LINC/Rule.645.23.15.pdf>.

The IAC includes a "mentoring" program for students of the various cosmetology professions. Rule 645—61.20, IAC. Students in the mentoring program may participate for no more than five percent of the total hours required by the course-of-study rule, Rule 645—61.20 (2), and a participant must be under the mentor's supervision at all times, Rule 645—61.20 (3). See

<http://www.legis.state.ia.us/aspx/ACODocs/DOCS/11-2-2011.645.61.20.pdf>.

Michigan:

Michigan's statutes and rules related to the barbering and cosmetology professions are set forth in two different compilations of law, one on barbering, and the other on the cosmetology professions. See the **Barbering Law Book** at <http://www.dleg.state.mi.us/bcsc/forms/barb/bclawbk.pdf>, or the **Cosmetology Law Book** at

<http://www.dleg.state.mi.us/bcsc/forms/cos/coslawbk.pdf>.

The only Michigan statutory reference to an apprentice or apprenticeship in the barbering context appears in s. 339.1108 (3), Michigan Compiled Laws (MCL). That section provides that an individual who was either a licensed barber or a barbering apprentice in another jurisdiction may apply the time so spent to Michigan's 2,000-hour barber school course-of-study requirement, at the rate of three months for 100 hours of instruction. See

<http://legislature.mi.gov/doc.aspx?mcl-339-1108>.

The Michigan statutes refer to cosmetology apprenticeships in the definition of "apprentice," found in the, MCL s. 339.1201 (a). Under that section, a cosmetology apprentice is "an individual engaged in learning cosmetology in a cosmetology establishment." Section MCL 339.1201 (d) defines "cosmetology" as any of the services of barbering, or "hair care," skin care, manicuring, or electrology, or a combination thereof. Under s. 339.1203a, MCL, no Michigan cosmetology licensee may practice electrology without a separate license for such practice. For the definition of cosmetology, see

<http://legislature.mi.gov/doc.aspx?mcl-339-1201>. (To view any of the other citations in this or the next paragraph, use the same web address, substituting the appropriate 1200 number at the end. For example, see MCL s. 339.1207 at <http://legislature.mi.gov/doc.aspx?mcl-339-1207>.)

Michigan's general cosmetology apprenticeship program is described in MCL ss. 339.1205 and .1207. Under MCL s. 330.1207 (d), an applicant for cosmetology licensure may substitute two years of cosmetology apprenticeship for the 1,500-hour cosmetology school course-of-study licensure requirement. The statutes specific to apprenticeships in electrology, manicuring, esthetics, and natural hair cultivation are set forth in ss. MCL 339.1208, .1209, .1210, and .1210a, respectively. The ratio of required school-training hours to months of apprenticeship for each of the four subsidiary practices varies as indicated in those sections.

Michigan's administrative rules contain no provisions regarding barbering apprenticeships. Rules 339.6001 – .6051, Mich. Admin. Code. A barbering student must have a student license to work on a public patron, and any such work must take place in the school facility. Rule 339.6045 (1), Mich. Admin. Code. As part of their course-of-study requirement, barbering students must complete 1,750 hours of practical training in the practice. Rule s. 339.6047, Mich.

Admin. Code. See all rules regulating barbers at http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=33906001&Dpt=LG&RngHigh=.

The administrative code specific to cosmetology apprenticeships may be found at Rules 338.2141 – .2151. Notably, the general cosmetology training rules prohibit students from using school credit hours to fulfill apprenticeship training requirements, and vice versa. Rule 338.2133, Mich. Admin. A cosmetology licensee may seek the Board of Cosmetology’s approval to become an apprenticeship practitioner, i.e., one who trains an apprentice, after completing at least three years of practice. Rule 338.2151 (2), Mich. Admin. Code. Among other things, an apprenticeship practitioner must agree to “[p]ersonally train the apprentice.” Rule 338.2151 (2) (i), Mich. Admin. Code. Those rules make clear that apprenticeship practitioners may not delegate their apprentice training responsibilities. See all cosmetology rules at http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=33802101&Dpt=LG&RngHigh=.

Minnesota:

Minnesota law governing barbers is codified at ch. 154, Minn. Stats. The statutes require persons practicing as a barber, barbering apprentice, or barbering instructor to have the current, appropriate certificate of registration for each of those practices. Sections 154.01 (a), (b), and (d), Minn. Stats. To become a registered barber, an applicant must have graduated from a barber school approved by the Board of Barber Examiners (BBE), practiced as a registered apprentice for 12 months, and passed the BBE’s registration examination. Section 154.05, Minn. Stats. Under s. 154.03, Minn. Stats., a registered apprentice may practice barbering only under the “immediate personal supervision of a registered barber.” See ch. 154, Minn. Stats. at <https://www.revisor.mn.gov/statutes/?id=154&view=chapter&format=pdf>.

Statutory law on cosmetology in Minnesota is set forth in ch. 155A, Minn. Stats. There are no provisions in ch. 155A regarding cosmetology apprentices or apprenticeship. See ch. 155A at <https://www.revisor.mn.gov/statutes/?id=155A&view=chapter&format=pdf>.

Minnesota’s administrative code related to barbering is located at ch. 2100, Minn. Admin. Rules. The rules governing registered apprentices appear in ss. 2100.0200 – .1700, Minn. Admin. Rules. Section 2100.1200 of the Rules requires the registered barber supervising a registered apprentice to file an affidavit attesting to the number of supervised practice hours accumulated by the apprentice. To renew registration as a barber apprentice, an apprentice must provide a statement of the hours of practice under the immediate supervision of a registered barber. Section 2100.1500, Minn. Admin. Rules. Chapter 2100 contains no provisions regarding delegation of apprentice supervision. See ch. 2100, Minn. Admin. Rules at <https://www.revisor.mn.gov/rules/?id=2100&view=chapter&format=pdf>.

Minnesota has no administrative rules that reference apprenticeships in cosmetology or its subsidiary practices. The rules governing cosmetology and cosmetology establishments are located at ch. 2105, Minn. Admin. Rules. The rules governing cosmetology schools appear in ch. 2110, Minn. Admin. Rules. See ch. 2105 at <https://www.revisor.mn.gov/rules/?id=2105&view=chapter&format=pdf>. See ch. 2110 at

<https://www.revisor.mn.gov/rules/?id=2110&view=chapter&format=pdf>.

Comparison of approaches

The information provided above respecting each of Wisconsin’s four neighboring states indicates a broad range of differences between each states’ approach to the concept of barbering and cosmetology apprenticeships. However, the amendment to s. BC 6.04 (1) contemplated in the Wisconsin barbering and cosmetology examining board’s rule-making proposal must occur to bring the existing rule into compliance with s. 454.10 (3), Stats. Thus, no comparison between the other individual states’ approaches and Wisconsin’s is necessary.

Summary of factual data and analytical methodologies

The comparison information with the rules in adjacent states was obtained by thorough review of the laws and rules of those states, and from direct contact with them by e-mail or telephone.

The proposed changes to the existing apprentice supervision requirement were prompted by legislative action that allows licensed barbering and cosmetology managers to delegate authority for apprentice supervision to licensed barbers and cosmetologists who meet certain minimum qualifications.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report

Pursuant to s. IV, 3. a., EO # 50, the rules proposed herein were posted on both the state’s and the department’s administrative rules websites for 14 days to solicit comments regarding the rules’ potential economic impact on businesses, business sectors, professional associations, local government units, or potentially interested parties. In addition, e-mails solicitations were sent to several potentially interested parties. No responses to any of the solicitations were received.

The department concludes that the proposed rules will have no economic impact on small businesses. This proposal tracks legislation that was effective on March 29, 2010, almost two years ago. The statutory change has thus been in place long enough to produce the resulting economic or fiscal impact experienced by private businesses or public entities, if any, for any such impact to have been fully absorbed by those entities as a part of routine operations.

Anticipated costs incurred by private sector

The department finds that these proposed rules will have no significant fiscal effect on the private sector.

Fiscal Estimate

The department finds that the proposed rule will have little to no fiscal impact.

Initial Regulatory Flexibility Analysis or Summary

These proposed rules amend existing administrative code to reflect changes to s. 454.10 (3), Stats., that became effective on March 29, 2010. The change allows licensed managers to delegate apprentice supervision to a licensed practitioner who meets certain minimum qualifications. No small businesses will be affected by this rule-change because any effects of this rule-change will have been absorbed in the approximately two years since the statutory amendment. Reporting, bookkeeping, and other procedures required for compliance with the rule are the same as in the existing rule, s. BC 6.04 (1), which, based on the change to the statute, already apply

to both licensed managers and their delegées. The professional skills involved include those of a barbering and cosmetologist professional and the ability to supervise.

Effect on Small Business

The rules proposed herein were posted on both the state's and the department's administrative rules websites for 14 days to solicit comments regarding the rule's potential economic impact on businesses, business sectors, professional associations, local government units, or potentially interested parties. In addition, e-mail solicitations were sent to several potentially interested parties. No responses to any of the solicitations were received.

The department concludes that the proposed rules will have no economic impact on small businesses. The Department's Regulatory Review Coordinator may be contacted by email at Greg.Gasper@Wisconsin.gov, or by calling (608) 266-8608.

Public hearing not required

Under s. 227.16 (2) (b), no public hearing is required on the proposed amendments to ss. BC 2.07 (1g) and 6.04, Wis. Admin. Code. The purpose of the amendments is to bring existing rule s. BC 6.01 (1) into conformity with s. 454.10 (3), Stats., as that statute was amended in 2009 Wis. Act 189. The amendment to s. BC 2.07 (1g), Wis. Admin. Code, is also necessitated by the statutory change.

Agency Contact Person

Kris Anderson, Paralegal, Department of Safety and Professional Services, Division of Board Services, 1400 E. Washington Ave., Rm. 151, P.O. Box 8935, Madison,

Wisconsin 53708; telephone (608) 261-2385; email at Kristine.L.Anderson@Wisconsin.gov.

Text of Rule

SECTION 1. BC 2.07 (1g) is amended to read:

(1g) The manager shall train and supervise an apprentice in accordance with s. BC 6.04 (1), and shall supervise temporary permit holders and training permit holders. Supervision and training shall be conducted by a currently licensed manager, except when a licensed manager delegates supervisory authority to a licensed barber or cosmetologist in accordance with s. 454.10 (3) (a), Stats.

SECTION 2. BC 6.04 (1) is amended to read:

BC 6.04 Practical training for apprentices. (1) The establishment owner to whom an apprentice is indentured shall employ a licensed manager to be responsible to supervise the training of the apprentice. Apprentices shall ~~not only work without~~under the supervision of a licensed manager, or a licensed barber or cosmetologist to whom supervisory authority has been delegated by a licensed manager in accordance with s. 454.10 (3) (a), Stats.

SECTION 3. BC BC 6.04 (1m) is created to read:

BC 6.04 (1m) Delegation of supervisory authority under sub. (1) shall also comply with all applicable provisions of ch. 106, subch. I, Stats., and ch. DWD 295, Wis. Admin. Code.

SECTION 4. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Submittal of Proposed Rules to Legislature

Please check the Bulletin of Proceedings — Administrative Rules for further information on a particular rule.

Employee Trust Funds CR 11-040

A rule to revise Chapters ETF 10, 11, 20, 40, 50, 52, 60, and 70, relating to technical and minor substantive changes in existing ETF administrative rules.

This rule is not subject to s. 227.185, Stats. The statement of scope for this rule, published in Register No. 660 on December 14, 2010, was sent to the Legislative Reference Bureau prior to June 8, 2011, the effective date of 2011 Wisconsin Act 21.

Employee Trust Funds CR 11-041

The proposed rule revises Chapter ETF 20, relating to the division of Wisconsin retirement system accounts under a qualified domestic relations order.

This rule is not subject to s. 227.185, Stats. The statement of scope for this rule, published in Register No. 662 on February 14, 2011, was sent to the Legislative Reference Bureau prior to June 8, 2011, the effective date of 2011 Wisconsin Act 21.

Employee Trust Funds CR 11-042

The proposed rule revises Chapters ETF 10 and 20, relating to rehired annuitants and separation from employment.

This rule is not subject to s. 227.185, Stats. The statement of scope for this rule, published in Register No. 662 on February 14, 2011, was sent to the Legislative Reference Bureau prior to June 8, 2011, the effective date of 2011 Wisconsin Act 21.

Employee Trust Funds CR 11-044

The proposed rule revises Chapter ETF 11, relating to the ETF appeals process.

This rule is not subject to s. 227.185, Stats. The statement of scope for this rule, published in Register No. 662 on February 14, 2011, was sent to the Legislative Reference Bureau prior to June 8, 2011, the effective date of 2011 Wisconsin Act 21.

Insurance CR 10-151

The proposed rule creates section Ins 2.18, relating to life settlements and affecting small business.

This rule is not subject to s. 227.185, Stats. The statement of scope for this rule, published in Register No. 653 on May 31, 2010, was sent to the Legislative Reference Bureau prior to June 8, 2011, the effective date of 2011 Wisconsin Act 21.

Justice CR 11-036

The final draft of Clearinghouse Rule 11-036, amending sections Jus 10.11 (1) and creating section Jus 10.01 (4m) and Jus 10.095, relating to firearms restriction records searches, has been delivered to the Senate Chief Clerk and the Assembly Chief Clerk for referral to the appropriate standing committee and to the Joint Committee for Review of Administrative Rules.

This rule is not subject to s. 227.185, Stats. The statement of scope for this rule, published in Register No. 665 on May 14, 2011, was sent to the Legislative Reference Bureau prior to June 8, 2011, the effective date of 2011 Wisconsin Act 21.

Natural Resources *Fish, Game, etc., Chs. NR 1—* CR 11-049

(DNR # FH-25-11)

The proposed rule revises Chapter NR 25, relating to commercial fishing in Green Bay and Lake Michigan.

The text of this rule was approved by the governor on March 1, 2011.

Natural Resources *Fish, Game, etc., Chs. NR 1—* CR 11-050

(DNR # CF-16-11)

The proposed rule revises Chapters NR 50 and 64, relating to administration of outdoor recreation program grants and state aids (County Snowmobile Aids) and all terrain vehicles.

This rule is not subject to s. 227.185, Stats. The scope statement for this rule, published in Register No. 665 on May 14, 2011, was sent to the Legislative Reference Bureau prior to June 8, 2011, the effective date of 2011 Wisconsin Act 21.

Revenue
CR 11-052

The proposed rule order creating section Tax 11.10, relating to wind, solar, and certain gas powered products is in final draft form. The proposed rule order and Notice of Hearing were published in the Wisconsin Administrative Register on January 15, 2012. A public hearing was held on January 27, 2012.

This rule is not subject to s. 227.185, Stats. The statement of scope for this rule, published in Register No. 666 on June 14, 2011, was sent to Legislative Reference Bureau prior to June 8, 2011, the effective date of 2011 Wisconsin Act 21.

Safety and Professional Services—
Dentistry Examining Board
CR 11-033

The proposed rule revises Chapters DE 2 and 13, relating to CPR training for licensure renewal for dentists and dental hygienists and related to licensure renewal and continuing education for dentists and dental hygienists.

This rule-making proposal is not subject to s. 227.185, Stats. The statement of scope for this proposal, published in Register No. 639, on March 31, 2009, was forwarded to the Legislative Reference Bureau prior to June 8, 2011, the effective date of 2011 Wis. Act 21. The initial draft was filed in the legislative clearinghouse on June 3, 2011.

Safety and Professional Services—
Dentistry Examining Board
CR 11-034

The proposed rule revises Chapters DE 1 and 2, relating to active practice of dentistry, specialty certification, and faculty licenses. These proposed rules relate to the active practice of dentistry, specialty certification, and faculty licenses.

This rule-making proposal is not subject to s. 227.185, Stats. The statement of scope for this proposal, published in Register No. 629, on February 14, 2009, was forwarded to the Legislative Reference Bureau prior to June 8, 2011, the effective date of 2011 Wis. Act 21. The initial draft was filed in the legislative clearinghouse on June 3, 2011.

Safety and Professional Services—
Dentistry Examining Board
CR 11-035

The proposed rule revises Chapters DE 2, 6, and 7, relating to CPR training for licensure renewal for dentists and dental hygienists and related to certification of dental hygienists to administer local anesthesia, and unprofessional advertising for dentists.

This rule-making proposal is not subject to s. 227.185, Stats. The statement of scope for this proposal, published in Register No. 656, on August 14, 2010, was forwarded to the Legislative Reference Bureau prior to June 8, 2011, the effective date of 2011 Wis. Act 21. The initial draft was filed in the legislative clearinghouse on June 3, 2011.

Rule Orders Filed with the Legislative Reference Bureau

The following administrative rule orders have been filed with the Legislative Reference Bureau and are in the process of being published. The date assigned to each rule is the projected effective date. It is possible that the publication date of these rules could be changed. Contact the Legislative Reference Bureau at bruce.hoesly@legis.wisconsin.gov or (608) 266-7590 for updated information on the effective dates for the listed rule orders.

**Safety and Professional Services—
Barbering and Cosmetology Examining Board
CR 11-011**

Revises Chapters BC 1, 9, and 11, relating to late renewal and continuing education.
Effective 4-1-12.

Public Notices

Health Services Changes to Personal Care Worker Travel Time Reimbursement Rates

The State of Wisconsin reimburses providers for services provided to Medical Assistance recipients under the authority of Title XIX of the Social Security Act and ss. 49.43 to 49.47, Wisconsin Statutes. This program, administered by the State's Department of Health Services, is called Medical Assistance (MA) or Medicaid. In addition, Wisconsin has expanded this program to create the BadgerCare and BadgerCare Plus programs under the authority of Title XIX and Title XXI of the Social Security Act and ss. 49.471, 49.665, and 49.67 of the Wisconsin Statutes. Federal statutes and regulations require that a state plan be developed that provides the methods and standards for reimbursement of covered services. A plan that describes the reimbursement system for the services (methods and standards for reimbursement) is now in effect.

The Wisconsin Department of Health Services is proposing to implement a healthcare efficiency project related to personal care reimbursement. This project will not require that the Medicaid state plan be amended, but it will affect provider reimbursement rates. Changes to provider reimbursement rates will be reflected on the maximum allowable fee schedules, available online through the ForwardHealth Portal at:

<https://www.forwardhealth.wi.gov/WIPortal/Max%20Fee%20Home/tabid/77/Default.aspx>

The project would reduce the separate reimbursement rate paid to personal care agencies for personal care worker travel time. For travel to recipients who do not reside in "rural" counties, the adjusted reimbursement rate for separate reimbursement of personal care worker travel will be at 50% of the personal care service rate. The reimbursement rate for personal care services will not change.

Proposed Change

The proposed changes are to adjust reimbursement for personal care worker travel when reimbursed in addition to reimbursement for the personal care services. This change is projected to result in savings of \$1.713 million all funds (AF) in the remaining quarter of federal fiscal year 2012 (April 1, 2012 through June 30, 2012), composed of \$676,000 general purpose revenue (GPR) and \$1.037 million federal match (FED). In federal fiscal year 2013, the savings are projected to be \$6.850 million AF, composed of \$2.758 GPR and \$4.092 FED. The effective date of the proposal will be April 1, 2012.

Copies of the Proposed Change:

A copy of the proposed change may be obtained free of charge by calling or writing as follows:

Regular Mail

Elizabeth Scudder
Bureau of Benefits Management
Division of Health Care Access and Accountability
P.O. Box 309
Madison, WI 53701-0309

Phone

Elizabeth Scudder
(608) 267-9697

FAX

(608) 266-1096
Attention: Elizabeth Scudder

E-Mail

elizabeth.scudder@wisconsin.gov

A copy of the proposed change is available for review at the main office of any county department of social services or human services.

Written Comments:

Written comments are welcome. Written comments on the proposed changes may be sent by FAX, e-mail, or regular mail to the Department. The FAX number is (608) 266-1096. The e-mail address is elizabeth.scudder@wisconsin.gov. Regular mail can be sent to the above address. All written comments will be reviewed and considered.

The written comments will be available for public review between the hours of 7:45 a.m. and 4:30 p.m. daily in Room 350 of the State Office Building, 1 West Wilson Street, Madison, Wisconsin. Revisions may be made in the proposed changed methodology based comments received.

Natural Resources Notice of Public Informational Hearings

NOTICE IS HEREBY GIVEN that at 7:00 p.m. on Monday, April 9, 2012, the Wisconsin Conservation Congress will hold its election of county delegates in each county. Upon completion of the delegate elections, the joint Department of Natural Resources Informational Hearing and Conservation Congress Spring Meeting will convene to take comments on the Department and Conservation Congress advisory questions.

NOTICE IS HEREBY FURTHER GIVEN that the Department of Natural Resources will take public input on the following advisory questions relating to hunting, trapping, and the management of Department lands.

Question 1. Eliminating the sunset of the current split season framework for bobcat hunting and trapping.

Question 2. Modernizing license requirements for hunting guides.

Questions 3 to 15. Expanding open water hunting opportunities for waterfowl on the following lakes and flowages; Beaver Dam Lake in Dodge County (excluding Rakes and Trestle Works Bays), Lake Butte des Morts in Winnebago County, Lakes Poygan and Winneconne in Waushara and Winnebago counties, Castle Rock Lake in Adams and Juneau counties (south of railroad bridge and county road G), Grindstone Lake in Sawyer County, Fence, North Twin and Trout Lakes in Vilas County, Lake Koshkonong in Dane, Rock and Jefferson counties, Lake Puckaway in Marquette and Green Lake counties (the waters west of the west end of the dredge bank, excluding the waters east of the west end of the dredge bank), Shawano Lake in Shawano County, Lake Wisconsin in Sauk and Columbia counties (north of railroad bridge), and Lake Wissota in Chippewa County (south of county road S and north of county road X).

NOTICE IS HEREBY FURTHER GIVEN that the Department of Natural Resources will take public input on the following advisory questions relating to fishing on the inland, outlying, and boundary waters of Wisconsin.

Question 16. Opening fishing seasons year round.

Question 17. Removing northern and southern management zones.

Questions 18 to 20. Allowing motor trolling statewide with 3 lines, 2 lines, or 1 line.

Questions 21 to 26. Accessing fishing regulations.

Questions 27 to 31. Initiating and developing new fishing regulations.

Questions 32 to 34. Simplifying the fishing license structure.

Questions 35. Rough fish spearing seasons.

Question 36. Requiring anglers to use non-lead sinkers, weights, jigs, and hooks if they are less than 1-inch length in any dimension and less than 1-ounce in weight on Escanaba, Nebish, and Palette lakes in Vilas County.

Questions 37 to 38. Removing and posting fishing refuges.

Question 39. Using trail cameras on DNR managed public hunting lands (Natural Resources Board advisory question).

NOTICE IS HEREBY FURTHER GIVEN that following the completion of the advisory questions from the Department and the Conservation Congress, the Conservation Congress will hold town hall meetings to get input from citizens on ways to simplify regulations and identify barriers to hunting and fishing participation.

NOTICE IS HEREBY FURTHER GIVEN that the informational hearings/meetings will be held at 7:00 p.m. on Monday, April 9, 2012, at the following locations:

Adams	Adams County Courthouse, County Board Room A230, 402 Main Street, Friendship, WI 53934
Ashland	Ashland County Court House, Main Court Room, 201 Main Street West, Ashland, WI 54806
Barron	Barron Government Center, Auditorium, 303 E. LaSalle Ave., Barron, WI 54812
Bayfield	Bayfield County Courthouse, Upstairs, 117 E. 5 th Street, Washburn, WI 54891
Brown	Northeast Wisconsin Technical College (SC132), 2740 W. Mason St., Green Bay, WI 54313
Buffalo	Alma High School Gymnasium, S1618 STH 35, Alma, WI 54610
Burnett	Burnett County Government Center, Room 165, 7410 County Road K, Siren, WI 54872

Calumet	Calumet County Courthouse, Rm. B025, 206 Court Street, Chilton, WI 53014
Chippewa	Chippewa Falls Middle School, 750 Tropicana Blvd., Chippewa Falls, WI 54729
Clark	Greenwood High School, 306 W. Central Ave., Greenwood, WI 54437
Columbia	Wayne E. Bartels Middle School, Gymnasium, 2505 New Pinery Rd., Portage, WI 53901
Crawford	Prairie du Chien High School, Auditorium, 800 E. Crawford St., Prairie du Chien, WI 53821
Dane	Middleton Cross Plains Performing Arts Center, 2100 Bristol St., Middleton, WI 53562
Dodge	Horicon International Education Center, Lower Level Auditorium, N7725 STH 28, Horicon, WI 53032
Door	Crossroads at Big Creek, 2041 Michigan St., Sturgeon Bay, WI 54235
Douglas	Brule Town Hall, 5820 S. Maple St., Brule, WI 54820
Dunn	Dunn County Fish and Game Club, 1900 Pioneer Ave., Menomonie, WI 54751
Eau Claire	South Middle School, Auditorium, 2115 Mitscher Ave., Eau Claire, WI 54701
Florence	Florence Natural Resource Center, Basement Conference Rm., 5631 Forestry Dr., Florence, WI 54121
Fond du Lac	Theisen Middle School, 525 E Pioneer Rd., Fond du Lac, Wisconsin 54935
Forest	Crandon High School, Auditorium, 9750 US HWY 8 West, Crandon, WI 54520
Grant	Youth and Agriculture Building Main Auditorium, 916 East Elm Street, Lancaster, WI 53813
Green	Monroe Middle School, 1510 13th Avenue, Monroe, WI 53566
Green Lake	Green Lake High School, Small Gym, 612 Mill St., Green Lake, WI 54941
Iowa	Dodgeville High School, Gymnasium, 912 Chapel Street, Dodgeville, WI 53533
Iron	Iron County Courthouse, 300 Taconite Street, Hurley, WI 54534
Jackson	Black River Falls Middle School, LGI Room, 1202 Pierce Street, Black River Falls, WI 54615
Jefferson	Jefferson County Fair Park Activity Center, 503 N. Jackson, Jefferson, WI 52549
Juneau	Olson Middle School Auditorium, 508 Grayside Avenue, Mauston, WI 53948
Kenosha	Bristol Elementary School, Gymnasium, 20121 83rd Street, Bristol, WI 53104
Kewaunee	Kewaunee High School, Auditorium, 911 Third Street, Kewaunee, WI 54216
La Crosse	Onalaska High School, Auditorium, 700 Hilltopper Place, Onalaska, WI 54650
Lafayette	Darlington Elementary School, Large Group Room, 11630 Center Hill Road, Darlington, WI 53530
Langlade	Antigo High School, Volm Theater, 1900 10th Ave., Antigo, WI 54409
Lincoln	Tomahawk Elementary School, 1048 East King Road, Tomahawk, WI 54487
Manitowoc	UW-Manitowoc, Auditorium, 705 Viebahn Street, Manitowoc, WI 54220
Marathon	D.C. Everest Middle School, Auditorium, 9302 Schofield Avenue, Weston, WI 54476
Marinette	Crivitz High School, Auditorium, 400 South Avenue, Crivitz, WI 54114
Marquette	Montello High School Community Room, 222 Forest Lane, Montello, WI 53949
Menominee	Menominee County Courthouse, W3269 Courthouse Lane, Keshena, WI 54135
Milwaukee	Nathan Hale High School, Auditorium, 11601 W. Lincoln Ave., West Allis, WI 53227
Monroe	Meadowview School, Cafetorium A103, 1225 N Water Street, Sparta, WI 54656
Oconto	Suring High School, Cafeteria, 411 E Algoma St., Suring, WI 54174
Oneida	Nicolet College, LRC Theatre, 5355 Campus Road, Rhineland, WI 54501
Outagamie	Riverview Middle School Auditorium, 101 Oak St., Kaukauna, WI 54130

Ozaukee	Cedarburg Cultural Center, W62 N546 Washington Avenue, Cedarburg, WI 53012
Pepin	Pepin County Government Center, County Board Room, 740 7th Ave. West, Durand, WI 54736
Pierce	Ellsworth Senior High School, Auditorium, 323 Hillcrest, Ellsworth, WI 54011
Polk	Unity High School/Unity Comm. Ed., Auditorium, 1908 150th St. Hwy 46, Balsam Lake, WI 54810
Portage	Ben Franklin Junior High School Auditorium, 2000 Polk St., Stevens Point, WI 54481
Price	Price County Courthouse, Board Room, 126 Cherry St., Phillips, WI 54555
Racine	Union Grove High School, Performance Arts Center, 3433 S. Colony Ave., Union Grove, WI 53182
Richland	Richland County Courthouse, Upstairs Courtroom, 181 West Seminary, Richland Center, WI 53581
Rock	Pontiac Convention Center, 2809 N Pontiac Dr., Janesville, WI 53545
Rusk	Ladysmith High School, Auditorium, 1700 E. Edgewood Ave., Ladysmith, WI 54848
Saint Croix	St Croix Central High School, Commons, 1751 Broadway St., Hammond, WI 54015
Sauk	UW Baraboo Campus, Lecture Hall A-4, 1006 Connie Road, Baraboo, WI 53913
Sawyer	Winter High School, 6585W Grove Street, Winter, WI 54896
Shawano	Shawano Middle School, LGI Room, 1050 S. Union St., Shawano, WI 54166
Sheboygan	Sheboygan Falls High School, Auditorium, 220 Amherst Ave., Sheboygan Falls, WI 53085
Taylor	Fair Grounds, Multi-purpose building, Hwy 64/ Hwy 13, Medford, WI 54451
Trempealeau	Whitehall City Center, 18620 Hobson St., Whitehall, WI 54773
Vernon	Viroqua High School, Commons Room, 100 Blackhawk Drive, Viroqua, WI 54665
Vilas	St. Germain Elementary School, Gymnasium, 8234 Hwy 70 West, Saint Germain, WI 54558
Walworth	Delavan-Darien High School, 150 Cummings St., Delavan, WI 53115
Washburn	Spooner High School Auditorium, 801 County Highway A, Spooner, WI 54801
Washington	Washington County Fair Park, 3000 Cty Hwy PV, West Bend, WI 53095
Waukesha	Waukesha Co. Tech. College, Richard Anderson Ed. Center, 800 Main Street, Pewaukee, WI 53072
Waupaca	Waupaca High School, PAC-Auditorium, E 2325 King Rd., Waupaca, WI 54981
Waushara	Waushara County Courthouse, County Board Rm. 265, 209 S. St. Marie St., Wautoma, WI 54982
Winnebago	Webster Stanley Middle School, Auditorium, 915 Hazel Street, Oshkosh, WI 54901
Wood	Pittsville High School, Auditorium, 5407 1st Ave, Pittsville, WI 54466

NOTICE IS HEREBY FURTHER GIVEN that pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of information material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call Kari Lee-Zimmermann at (608) 266-0580 with specific information on your request by April 2, 2012.

Written comments on the Department wildlife advisory questions may be submitted via U.S. mail to Scott Loomans, Bureau of Wildlife Management, P.O. Box 7921, Madison, WI 53707. Written comments on the Department fisheries advisory questions may be submitted via U.S. mail to Kate Strom Hiorns, Bureau of Fisheries Management, P.O. Box 7921, Madison, WI 53707. Written comments shall be postmarked not later than **April 9, 2012**. Written comments whether submitted electronically or by U.S. mail will be summarized for the Natural Resources Board, however, they will not be tallied along with the responses received at the county hearings.

The State of Wisconsin
Department of Administration
Bureau of Document Services
Document Sales and Distribution Section
4622 University Avenue
Madison, Wisconsin 53705-2156



First Class Mail

Dated Material. Please Do Not Delay!