

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

*Joint Committee for
Review of
Administrative Rules
(JCR-AR)*

Sample:

- Record of Comm. Proceedings
- 97hrAC-EdR_RCP_pt01a
- 97hrAC-EdR_RCP_pt01b
- 97hrAC-EdR_RCP_pt02

- Appointments ... Appt
-
- Clearinghouse Rules ... CRule
- 97hr_JCR-AR_CRule_98-026_pt02
-
- Committee Hearings ... CH
-
- Committee Reports ... CR
-
- Executive Sessions ... ES
-
- Hearing Records ... HR
-
- Miscellaneous ... Misc
-
- Record of Comm. Proceedings ... RCP
-

JCRAR Hearing 5/28/98
98-026

RULE REPORT

Department of Workforce Development

Rule No.: CR 98-026, DWD 12.25

Relating to: Learnfare amendments

Agency contact person for substantive questions.

Name Dianne Reynolds

Title Legislative Liaison, DWD Division of Economic Support

Phone Number 266-0988

Agency contact person for internal processing.

Name Howard Bernstein

Title DWD Legal Counsel

Phone Number 266-9427

1. Agency statutory authority under which the agency intends to promulgate the rule(s).
secs. 49.26(1)(gm)2 and (h)1, Stats.
2. Citation of federal regulations which require adoption or which are relevant to the proposed rule(s).
N.A.
3. Citation of court decisions which are applicable to the proposed rule(s).
N.A.
4. Description of the proposed rule(s).
See the rule analysis included with the rule text.
5. Reason for the proposed rule(s).
See the rule analysis included with the rule text.

PUBLIC HEARING COMMENT & AGENCY RESPONSE
DEPARTMENT OF WORKFORCE DEVELOPMENT
DIVISION OF ECONOMIC SUPPORT

RULE NUMBER: CR 98-026, DWD 12.25
RELATED TO: Learnfare Amendments

HEARING LOCATION: Room 400X, GEF-1, Madison
HEARING DATE: March 16, 1998

Commenting in Sup.		For Info.	Exh. No.	Presenter, Group Represented, City & State	Comments/Recommendations	Agency Response
				(comments of Atty Patricia DeLessio, continued)	(3) The rule should be amended to provide that there is good cause for failure to attend by a minor parent when all on-site day care slots are filled.	(3) Agree. This change has been made in DWD 12.25(7)(a)2.
					(4) The rule should not allow for sanctions based upon case management non-cooperation alone. This is not provided for by the Learnfare statute.	(4) Agree. See response to (1) above.
					(5) The rule should be amended to include a requirement that the FEP be familiar with school policies and programs and coordinate case management efforts with the school.	(5) Disagree. This degree of detail is not needed. The rule requires an assessment and a learnfare case management plan, and the FEP is already responsible for being familiar with all relevant policies and programs.

RESPONSE TO LEGISLATIVE COUNCIL CLEARINGHOUSE REPORT

Department of Workforce Development

CLEARINGHOUSE RULE NO.: CR 98-026
RULE NO.: DWD 12.25
RELATING TO: Learnfare Amendments

Agency contact person for substantive questions.

Name: Dianne Reynolds
Title: Legislative Liaison, DWD Division of Economic Support
Telephone No. 266-0988

Legislative Council report recommendations accepted in whole.

Yes No

1. Review of statutory authority (s.227.15(2)(a))
 - a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached

2. Review of rules for form, style and placement in administrative code (s.227.15(2)(c))
 - a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached

3. Review rules for conflict with or duplication of existing rules (s.227.15(2)(d))
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached
4. Review rules for adequate references to related statutes, rules and forms (s.227.15(2)(e))
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached
5. Review language of rules for clarity, grammar, punctuation and plainness (s.227.15(2)(f))
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached
6. Review rules for potential conflicts with, and comparability to, related federal regulations (s.227.15(2)(g))
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached
7. Review rules for permit action deadline (s.227.15(2)(h))
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached

FISCAL ESTIMATE WORKSHEET

1997 Session

Detailed Estimate of Annual Fiscal Effect
DOA-2047 (R 07/97)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
DWD 12.25

Amendment No.

Subject
Learnfare amendments

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):
\$0

II. Annualized Costs:		Annualized Fiscal impact on State funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes		\$0	\$ -0
(FTE Position Changes)		(FTE)	(- FTE)
State Operations - Other Costs			-
Local Assistance			-
Aids to Individuals or Organizations			-
TOTAL State Costs by Category		\$0	\$ -0
B. State Costs by Source of Funds		Increased Costs	Decreased Costs
GPR		\$	\$ -
FED			-
PRO/PRS			-
SEG/SEG-S			-
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		Increased Rev.	Decreased Rev.
GPR Taxes		\$	\$ -
GPR Earned			-
FED			-
PRO/PRS			-
SEG/SEG-S			-
TOTAL State Revenues		\$0	\$ -0

NET ANNUALIZED FISCAL IMPACT

	<u>STATE</u>	<u>LOCAL</u>
NET CHANGE IN COSTS	\$0	\$0
NET CHANGE IN REVENUES	\$0	\$0

Agency/Prepared by: (Name & Phone No.)
DWD/DES Dianne Reynolds 266-0988

Authorized Signature/Telephone No.
 266-9427

Date
5/7/98

x ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

FISCAL ESTIMATE
DOA-2048 E (R 07/97)

Subject
Learnfare Amendments

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No

- Increase Existing Appropriation Increase Existing Revenues
- Decrease Existing Appropriation Decrease Existing Revenues
- Create New Appropriation

Decrease Costs

Local: No local government costs

- 1. Increase Costs
 Permissive Mandatory
- 2. Decrease Costs
 Permissive Mandatory

- 3. Increase Revenues
 Permissive Mandatory
- 4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
- Towns Villages Cities
 - Counties Others _____
 - School Districts WTCS Districts

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

This is the rule to implement the changes to the learnfare program made in 1997 Wisconsin Act 27.

All costs to the Department and local governments for the operation of the Learnfare program were included in the 1997-1999 biennial budget act, 1997 Wisconsin Act 27. There are no additional costs for state government or local governments as a result of the promulgation of these administrative rule changes.

Long-Range Fiscal Implications

None.

Agency/Prepared by: (Name & Phone No.)
DWD/DES Dianne Reynolds 266-0988

Authorized Signature/Telephone No.
 1266-9427

Date
5/7/98

FINAL REGULATORY FLEXIBILITY ANALYSIS

Department of Workforce Development

CLEARINGHOUSE RULE NO. : CR 98-026
RULE NO.: DWD 12.25
RELATING TO: Learnfare Amendments

Final regulatory flexibility analysis not required. (Statement of determination required.)

Small businesses are not affected by these rules. These rules implement legislative amendments to the Learnfare program and affect W-2 participants with children between the ages of 6 and 17.

1. Reason for including or failing to include the following methods for reducing impact of the rule on small businesses: Less stringent compliance or reporting requirements; less stringent schedules or deadlines for compliance or reporting requirements; simplification of compliance or reporting requirements; establishment of performance standards to replace design or operational standards; exemption from any or all requirements.
2. Issues raised by small businesses during hearings, changes in proposed rules as a result of comments by small businesses and reasons for rejecting any alternatives suggested by small businesses.
3. Nature and estimated cost of preparation of any reports by small businesses.
4. Nature and estimated cost of other measures and investments required of small businesses.
5. Additional cost to agency of administering or enforcing a rule which includes any of the methods in 1. for reducing impact on small business.
6. Impact on public health, safety and welfare caused by including any of the methods in 1. for reducing impact on small businesses.

Tommy G. Thompson
Governor

Linda Stewart
Secretary



State of Wisconsin

Department of Workforce Development

OFFICE OF THE SECRETARY
201 East Washington Avenue
P. O. Box 7946
Madison, WI 53707-7946
Telephone: (608) 266-7552
Fax: (608) 266-1784
<http://www.dwd.state.wi.us/>

Secretary Linda Stewart
Department of Workforce Development
Room 401, GEF-1
201 East Washington Avenue
Madison, Wisconsin 53702

Dear Secretary Stewart:

NOTICE OF STANDING COMMITTEE WAIVER OF AUTHORITY

CLEARINGHOUSE RULE NO.: 98-026
RULE NO.: DWD 12.25
RELATING TO: Learnfare Amendments

Pursuant to section 227.19, Stats., notice is given that this legislative standing committee has reviewed the proposed rules and grants permission to promulgate the rules as proposed prior to the committee review period expiration date.

Very truly yours,

CHAIRPERSON

Assembly Committee _____ Date _____
 Senate Committee _____ Date _____



Tommy G. Thompson
Governor

Linda Stewart
Secretary



State of Wisconsin

Department of Workforce Development

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May 7, 1998

Gary Poulson
Assistant Revisor of Statutes
Suite 800
131 W. Wilson St.
Madison, Wisconsin 53703-3233

Dear Mr. Poulson:

NOTIFICATION OF RULE REFERRAL

This letter is to notify you that pursuant to section 227.19, Stats., the Department of Workforce Development has referred:

CLEARINGHOUSE RULE NO.: 98-026

RULE NO.: DWD 12.25

RELATING TO: Learnfare Amendments

to the presiding officers of the Senate and Assembly of the Legislature for referral to the appropriate standing committees for Legislative review.

Respectfully submitted,

A handwritten signature in cursive script that reads "Linda Stewart".

Linda Stewart
Secretary

cc: Department of Administration (2)





May 11, 1998

Senator Robert Welch
Co-Chairman
Joint Committee for Review of Administrative Rules
Room 201
1 East Main
Madison, WI 53707

Representative Glenn Grothman
Co-Chairman
Joint Committee for Review of Administrative Rules
Room 125 West, State Capitol
Madison, WI 53707

Dear Senator Welch and Representative Grothman:

As you may know, this Department adopted an emergency rule earlier this year relating to fire-protective penetrations in commercial buildings and multifamily dwellings. The emergency rule took effect on January 28, and is currently in effect. The emergency rule will expire on June 27, 1998, unless an extension is granted by the Joint Committee for Review of Administrative Rules.

Since adoption of the emergency rule and pursuant to chapter 227, Stats., the Department has filed a proposed permanent rule with the Wisconsin Legislative Council (Clearinghouse Rule Number 98-017) to replace the emergency rule, held a hearing on that rule on March 11, 1998, and filed a final rule with the Legislature for review on April 28, 1998.

The Joint Committee for Review of Administrative Rules (JCRAR) requests that agencies make a formal request for an extension prior to the expiration of an emergency rule. Under section 227.19 (4), Stats., the legislative standing committees have 30 days to review the final rule before the agency may adopt the rule. Due to the time factors associated with the rulemaking process in ch. 227, Stats., the permanent rule cannot be adopted and placed in effect prior to the expiration of the emergency rule.

In light of these facts, we respectfully request a 60-day extension of the emergency rule under s. 227.24 (2), Stats., in order to preserve the public safety and provide a smooth and orderly transition from the emergency rule to the permanent rule.

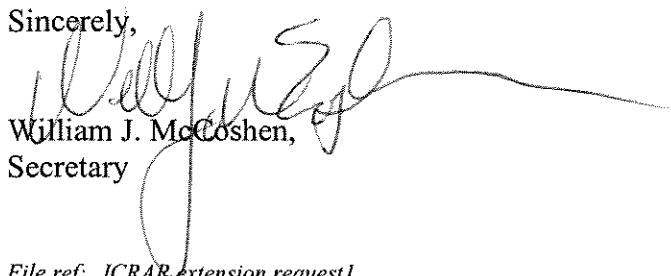
Robert Welch and Glenn Grothman

Page 2

May 11, 1998

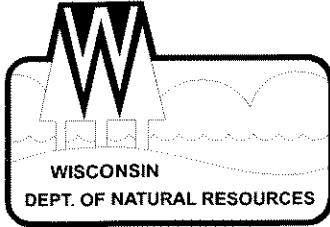
If you have any questions regarding our progress to date or this request, please don't hesitate to contact us. Thank you in advance for your consideration of our request.

Sincerely,



William J. McCoshen,
Secretary

File ref: JCRAR-extension request1



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

May 21, 1998

Honorable Robert Welch, Co-Chair
Joint Committee for Review of
Administrative Rules
Room 201E
State Capitol

Honorable Glenn Grothman, Co-Chair
Joint Committee for Review of
Administrative Rules
125 West
State Capitol

SUBJECT: Emergency Rule Extension for AM-29-97(E)

Bob & Glenn
Gentlemen:

The Department of Natural Resources, under s. 227.24(2), Stats., is requesting the Joint Committee for Review of Administrative Rules to extend Natural Resources Board Emergency Order No. AM-29-97(E) for 60 days. This emergency order pertaining to emission limitations for motor vehicles took effect on January 1, 1998 and is to expire on May 31, 1998.

The extension of the emergency rule is needed so that the enforcement of these emission limitations can continue in the current less restrictive limitations. The rule was modified because recent technical information indicates that many older vehicles cannot reasonably maintain a level of emissions which would comply with the final cutpoints in the current permanent rule. The new permanent rule will be adopted by the Natural Resources Board at its May meeting.

A copy of the emergency order is attached. If you have any questions, please contact Tom Steidl, Bureau of Legal Services at 266-0235.

Sincerely,

George

George E. Meyer
Secretary

Attach.

cc: Tom Steidl - LS/5
Carol Turner - LE/5
Chris Bovee - AM/7



Quality Natural Resources Management
Through Excellent Customer Service



ORDER OF THE STATE OF WISCONSIN
NATURAL RESOURCES BOARD
RENUMBERING, REPEALING AND RECREATING AND CREATING RULES

The Wisconsin Natural Resources Board proposes an order to renumber NR 485.04, Table 3, (1)(a) to (c), (2)(a) to (c) and (3)(a) to (c); to repeal and recreate NR 485.04, Table 1, (3); and to create NR 485.04, Table 3, (1)(a), (2)(a) and (3)(a) relating to emission limitations for motor vehicles.

AM-29-97E

Analysis Prepared by the Department of Natural Resources

Authorizing statutes: ss. 227.11(2)(a), 227.24, 285.11(1) and 285.30(2), Stats.

Statutes interpreted: ss. 285.11(6) and 285.30(2), Stats. The State Implementation Plan developed under s. 285.11(6), Stats., is revised.

The final phase of the motor vehicle emission limitations in Table 1 of s. NR 485.04, Wis. Adm. Code, is scheduled to go into effect on December 1, 1997. These limitations are used in the state's motor vehicle emission inspection and maintenance (I/M) program, which is operating in seven southeastern Wisconsin counties (Kenosha, Milwaukee, Ozaukee, Racine, Sheboygan, Washington, and Waukesha). Two phases of less restrictive limitations have been in effect prior to December 1, 1997: the first phase in effect from December 1, 1995, to November 30, 1996, and the second phase in effect from December 1, 1996, to November 30, 1997.

The proposed emergency rule will relax the current rule's final phase of motor vehicle emission limitations for 1990 and older model year vehicles as follows: For 1987 to 1990 model year vehicles, the proposed emission limitations will be more restrictive than the current rule's second phase limitations (those in effect from December 1, 1996, to November 30, 1997), but not as restrictive as the current rule's final phase limitations; for the older vehicles subject to the I/M program (model year 1968 to 1986), the current rule's second phase limitations will remain in effect.

Also, the proposed rule will add to Table 3 of s. NR 485.04, Wis. Adm. Code, a new set of fast-pass emission limitations for each of the three measured air contaminants as follows: Fast-pass hydrocarbon limitations which apply to motor vehicles having composite hydrocarbon limitations in Table 1 of s. NR 485.04, Wis. Adm. Code, of at least 0.60 grams/mile but less than 0.80 grams/miles; fast-pass carbon monoxide limitations which apply to motor vehicles having composite carbon monoxide limitations in Table 1 of s. NR 485.04, Wis. Adm. Code, of at least 10.0 grams/mile but less than 15.0 grams/mile; and fast-pass oxides of nitrogen limitations which apply to motor vehicles having composite oxides of nitrogen limitations in Table 1 of s. NR 485.04, Wis. Adm. Code, of at least 1.5 grams/mile but less than 2.0 grams/mile.

SECTION 1. NR 485.04, Table 1, (3) is repealed and recreated to read:

NR 485.04, Table 1, (3) MOTOR VEHICLES INSPECTED BETWEEN DECEMBER 1, 1997, AND NOVEMBER 30, 1998.

(a) *Light-Duty Vehicles.*

Model Years	Hydrocarbons (grams/mile)		Carbon Monoxide (grams/mile)		Oxides of Nitrogen (grams/mile)
	Composite	Phase 2	Composite	Phase 2	Composite
1996 and newer	0.60	0.40	10.0	8.0	1.5
1994-1995					
Tier 1 ¹	0.60	0.40	10.0	8.0	1.5
Not Tier 1 ¹	0.80	0.50	15.0	12.0	2.0
1991-1993	0.80	0.50	15.0	12.0	2.0
1987-1990	1.10	0.70	20.0	16.0	2.5
1983-1986	2.00	1.25	30.0	24.0	3.0
1981-1982	2.00	1.25	60.0	48.0	3.0
1980	2.00	1.25	60.0	48.0	6.0
1977-1979	7.50	5.00	90.0	72.0	6.0
1975-1976	7.50	5.00	90.0	72.0	9.0
1973-1974	10.0	6.00	150	120	9.0
1968-1972	10.0	6.00	150	120	10.0

(b) *Light-Duty Trucks with GVWR of 6,000 pounds or less.*

Model Years	Hydrocarbons (grams/mile)		Carbon Monoxide (grams/mile)		Oxides of Nitrogen (grams/mile)
	Composite	Phase 2	Composite	Phase 2	Composite
1996 and newer					
(≤ 3750 lbs LVW) ²	0.60	0.40	10.0	8.0	1.5
(> 3750 lbs LVW) ²	0.80	0.50	13.0	10.0	1.8
1994-1995					
Tier 1 ³					
(≤ 3750 lbs LVW) ⁴	0.60	0.40	10.0	8.0	1.5
(> 3750 lbs LVW) ⁴	0.80	0.50	13.0	10.0	1.8
Not Tier 1 ³	1.60	1.00	40.0	32.0	2.5
1991-1993	1.60	1.00	40.0	32.0	2.5
1988-1990	2.20	1.40	55.0	44.0	3.0
1987	2.20	1.40	55.0	44.0	5.5
1984-1986	3.20	2.00	80.0	64.0	7.0
1979-1983	7.50	5.00	100	80.0	7.0
1975-1978	8.00	5.00	120	96.0	9.0
1973-1974	10.0	6.00	150	120	9.0
1968-1972	10.0	6.00	150	120	10.0

(c) *Light-Duty Trucks with GVWR of 6,001 to 8,500 pounds and Heavy-Duty Vehicles with GVWR of 8,500 pounds or less.*

Model Years	Hydrocarbons (grams/mile)		Carbon Monoxide (grams/mile)		Oxides of Nitrogen (grams/mile)
	Composite	Phase 2	Composite	Phase 2	Composite
1997 and newer					
(≤5750 lbs ALVW) ⁵	0.80	0.50	13.0	10.0	1.8
(>5750 lbs ALVW) ⁵	0.80	0.50	15.0	12.0	2.0
1996					
Tier 1 ⁶					
(≤5750 lbs ALVW) ⁷	0.80	0.50	13.0	10.0	1.8
(>5750 lbs ALVW) ⁷	0.80	0.50	15.0	12.0	2.0
Not Tier 1 ⁶	1.60	1.00	40.0	32.0	3.5
1991-1995	1.60	1.00	40.0	32.0	3.5
1988-1990	2.20	1.40	55.0	44.0	4.0
1987	2.20	1.40	55.0	44.0	5.5
1984-1986	3.20	2.00	80.0	64.0	7.0
1979-1983	7.50	5.00	100	80.0	7.0
1975-1978	8.00	5.00	120	96.0	9.0
1973-1974	10.0	6.00	150	120	9.0
1968-1972	10.0	6.00	150	120	10.0

(d) *Heavy-Duty Vehicles with GVWR of 8,501 to 10,000 pounds.*

Model Years	Hydrocarbons (grams/mile)		Carbon Monoxide (grams/mile)		Oxides of Nitrogen (grams/mile)
	Composite	Phase 2	Composite	Phase 2	Composite
1998 and newer	2.00	1.25	30.0	24.0	4.0
1991-1997	2.00	1.25	40.0	32.0	5.0
1987-1990	2.40	1.50	55.0	44.0	7.0
1985-1986	5.00	3.10	80.0	64.0	8.0
1979-1984	7.50	5.00	100	80.0	8.0
1974-1978	10.0	6.00	150	120	10.0
1970-1973	10.0	6.00	175	140	10.0
1968-1969	20.0	12.5	200	160	15.0

(e) *Heavy-Duty Vehicles with GVWR greater than 10,000 pounds.*

Model Years	Hydrocarbons (grams/mile)		Carbon Monoxide (grams/mile)		Oxides of Nitrogen (grams/mile)
	Composite	Phase 2	Composite	Phase 2	Composite
1998 and newer	3.50	2.00	60.0	48.0	7.0
1991-1997	3.50	2.00	70.0	56.0	9.0
1987-1990	4.50	2.80	100	80.0	13.0
1985-1986	10.0	6.00	160	128	16.0
1979-1984	11.5	7.00	180	145	16.0
1974-1978	13.0	8.00	200	160	20.0
1970-1973	13.0	8.00	225	180	20.0
1968-1969	24.0	15.0	250	200	30.0

¹ Upon written department approval granted to DOT, the emission limitations for "Not Tier 1" may be applied to all 1994-1995 model year light-duty vehicles.

² Upon written department approval granted to DOT, the emission limitations for ">3750 lbs LVW" may be applied to all 1996 model year and newer light-duty trucks with GVWR of 6,000 pounds or less.

³ Upon written department approval granted to DOT, the emission limitations for "Not Tier 1" may be applied to all 1994-1995 model year light-duty trucks with GVWR of 6,000 pounds or less.

⁴ Upon written department approval granted to DOT, the emission limitations for ">3750 lbs LVW" may be applied to all 1994-1995 model year light-duty trucks with GVWR of 6,000 pounds or less which are certified to meet Tier 1 emission standards.

⁵ Upon written department approval granted to DOT, the emission limitations for ">5750 lbs ALVW" may be applied to all 1997 model year and newer light-duty trucks with GVWR of 6,001 to 8,500 pounds and to all 1997 model year and newer heavy-duty vehicles with GVWR of 8,500 pounds or less.

⁶ Upon written department approval granted to DOT, the emission limitations for "Not Tier 1" may be applied to all 1996 model year light-duty trucks with GVWR of 6,001 to 8,500 pounds and to all 1996 model year heavy-duty vehicles with GVWR of 8,500 pounds or less.

⁷ Upon written department approval granted to DOT, the emission limitations for ">5750 lbs ALVW" may be applied to all 1996 model year light-duty trucks with GVWR of 6,001 to 8,500 pounds which are certified to meet Tier 1 emission standards and to all 1996 model year heavy-duty vehicles with GVWR of 8,500 pounds or less which are certified to meet Tier 1 emission standards.

SECTION 2. NR 485.04, Table 3, (1)(a) to (c), (2)(a) to (c) and (3)(a) to (c) are renumbered (1)(b) to (d), (2)(b) to (d) and (3)(b) to (d), respectively.

SECTION 3. NR 485.04, Table 3, (1)(a), (2)(a) and (3)(a) are created to read:

NR 485.04, Table 3, (1)(a) *Motor vehicles having composite hydrocarbon emission limitations in Table 1 of at least 0.60 grams/mile but less than 0.80 grams/mile.*

Second	Composite (grams)	Phase 2 (grams)	Second	Composite (grams)	Phase 2 (grams)
30	0.031	N/A	83	0.082	N/A
31	0.032	N/A	84	0.083	N/A
32	0.032	N/A	85	0.084	N/A
33	0.034	N/A	86	0.085	N/A
34	0.035	N/A	87	0.086	N/A
35	0.037	N/A	88	0.087	N/A
36	0.038	N/A	89	0.088	N/A
37	0.038	N/A	90	0.089	N/A
38	0.039	N/A	91	0.090	N/A
39	0.040	N/A	92	0.090	N/A
40	0.041	N/A	93	0.091	N/A
41	0.042	N/A	94	0.092	0.000
42	0.043	N/A	95	0.093	0.000
43	0.043	N/A	96	0.093	0.000
44	0.044	N/A	97	0.094	0.000
45	0.049	N/A	98	0.097	0.000
46	0.050	N/A	99	0.099	0.000
47	0.052	N/A	100	0.101	0.000
48	0.055	N/A	101	0.103	0.000
49	0.058	N/A	102	0.103	0.000
50	0.059	N/A	103	0.103	0.000
51	0.060	N/A	104	0.103	0.000
52	0.060	N/A	105	0.105	0.000
53	0.061	N/A	106	0.107	0.000
54	0.062	N/A	107	0.108	0.000
55	0.062	N/A	108	0.114	0.000
56	0.063	N/A	109	0.115	0.004
57	0.065	N/A	110	0.116	0.004
58	0.068	N/A	111	0.116	0.005
59	0.069	N/A	112	0.117	0.006
60	0.070	N/A	113	0.117	0.006
61	0.070	N/A	114	0.118	0.006
62	0.071	N/A	115	0.122	0.007
63	0.071	N/A	116	0.128	0.007
64	0.071	N/A	117	0.135	0.008
65	0.071	N/A	118	0.140	0.009
66	0.072	N/A	119	0.144	0.009
67	0.072	N/A	120	0.145	0.009
68	0.073	N/A	121	0.147	0.010
69	0.074	N/A	122	0.149	0.010
70	0.074	N/A	123	0.151	0.010
71	0.075	N/A	124	0.153	0.011
72	0.075	N/A	125	0.154	0.011
73	0.076	N/A	126	0.156	0.011
74	0.076	N/A	127	0.157	0.011
75	0.077	N/A	128	0.158	0.012
76	0.077	N/A	129	0.159	0.012
77	0.077	N/A	130	0.160	0.012
78	0.077	N/A	131	0.161	0.013
79	0.079	N/A	132	0.161	0.013
80	0.080	N/A	133	0.161	0.014
81	0.081	N/A	134	0.162	0.014
82	0.082	N/A	135	0.163	0.014

Second	Composite (grams)	Phase 2 (grams)
136	0.165	0.014
137	0.166	0.014
138	0.167	0.014
139	0.167	0.015
140	0.168	0.015
141	0.168	0.015
142	0.169	0.015
143	0.170	0.016
144	0.170	0.016
145	0.171	0.016
146	0.172	0.017
147	0.172	0.017
148	0.173	0.017
149	0.173	0.017
150	0.174	0.018
151	0.174	0.018
152	0.175	0.018
153	0.175	0.018
154	0.176	0.018
155	0.176	0.019
156	0.177	0.019
157	0.177	0.020
158	0.178	0.021
159	0.178	0.021
160	0.179	0.022
161	0.188	0.024
162	0.196	0.027
163	0.201	0.029
164	0.210	0.031
165	0.213	0.032
166	0.219	0.040
167	0.226	0.047
168	0.228	0.047
169	0.229	0.050
170	0.229	0.055
171	0.230	0.059
172	0.233	0.062
173	0.237	0.064
174	0.246	0.067
175	0.255	0.071
176	0.257	0.074
177	0.259	0.078
178	0.263	0.080
179	0.269	0.081
180	0.271	0.084
181	0.275	0.086
182	0.280	0.088
183	0.283	0.090
184	0.288	0.097
185	0.290	0.100
186	0.292	0.100
187	0.294	0.101
188	0.295	0.101

Second	Composite (grams)	Phase 2 (grams)
189	0.297	0.105
190	0.301	0.107
191	0.305	0.111
192	0.308	0.114
193	0.313	0.118
194	0.314	0.122
195	0.315	0.125
196	0.316	0.128
197	0.320	0.128
198	0.323	0.129
199	0.325	0.129
200	0.328	0.130
201	0.331	0.132
202	0.333	0.135
203	0.335	0.137
204	0.339	0.138
205	0.344	0.140
206	0.348	0.141
207	0.352	0.142
208	0.356	0.143
209	0.358	0.144
210	0.361	0.145
211	0.363	0.149
212	0.366	0.151
213	0.367	0.154
214	0.368	0.156
215	0.369	0.157
216	0.370	0.160
217	0.370	0.161
218	0.371	0.161
219	0.372	0.161
220	0.373	0.163
221	0.373	0.164
222	0.376	0.166
223	0.381	0.168
224	0.387	0.169
225	0.387	0.171
226	0.391	0.174
227	0.394	0.175
228	0.395	0.176
229	0.396	0.177
230	0.397	0.177
231	0.398	0.177
232	0.399	0.178
233	0.400	0.178
234	0.401	0.178
235	0.403	0.178
236	0.403	0.178
237	0.403	0.178
238	0.404	0.178
239	0.404	0.179

(2)(a) Motor vehicles having composite carbon monoxide emission limitations in Table 1 of at least 10.0 grams/mile but less than 15.0 grams/mile.

Second	Composite (grams)	Phase 2 (grams)	Second	Composite (grams)	Phase 2 (grams)
30	0.173	N/A	83	0.557	N/A
31	0.193	N/A	84	0.559	N/A
32	0.209	N/A	85	0.561	N/A
33	0.213	N/A	86	0.566	N/A
34	0.213	N/A	87	0.568	N/A
35	0.214	N/A	88	0.571	N/A
36	0.225	N/A	89	0.575	N/A
37	0.240	N/A	90	0.577	N/A
38	0.259	N/A	91	0.582	N/A
39	0.268	N/A	92	0.583	N/A
40	0.269	N/A	93	0.583	N/A
41	0.271	N/A	94	0.586	0.000
42	0.276	N/A	95	0.587	0.000
43	0.278	N/A	96	0.589	0.000
44	0.279	N/A	97	0.599	0.000
45	0.289	N/A	98	0.613	0.000
46	0.336	N/A	99	0.627	0.000
47	0.371	N/A	100	0.648	0.000
48	0.383	N/A	101	0.665	0.000
49	0.386	N/A	102	0.687	0.000
50	0.388	N/A	103	0.728	0.000
51	0.393	N/A	104	0.791	0.000
52	0.399	N/A	105	0.793	0.000
53	0.408	N/A	106	0.799	0.000
54	0.421	N/A	107	0.822	0.000
55	0.422	N/A	108	0.855	0.000
56	0.423	N/A	109	0.897	0.042
57	0.425	N/A	110	0.899	0.043
58	0.431	N/A	111	0.910	0.059
59	0.463	N/A	112	0.935	0.067
60	0.468	N/A	113	0.967	0.070
61	0.468	N/A	114	0.969	0.073
62	0.468	N/A	115	0.984	0.079
63	0.475	N/A	116	1.004	0.083
64	0.479	N/A	117	1.015	0.086
65	0.486	N/A	118	1.016	0.088
66	0.500	N/A	119	1.020	0.089
67	0.515	N/A	120	1.035	0.092
68	0.516	N/A	121	1.046	0.097
69	0.519	N/A	122	1.050	0.102
70	0.526	N/A	123	1.051	0.116
71	0.529	N/A	124	1.053	0.120
72	0.531	N/A	125	1.058	0.127
73	0.533	N/A	126	1.075	0.130
74	0.535	N/A	127	1.086	0.131
75	0.538	N/A	128	1.090	0.131
76	0.543	N/A	129	1.092	0.132
77	0.547	N/A	130	1.092	0.133
78	0.550	N/A	131	1.093	0.133
79	0.553	N/A	132	1.109	0.134
80	0.553	N/A	133	1.131	0.138
81	0.555	N/A	134	1.131	0.139
82	0.556	N/A	135	1.131	0.148

Second	Composite (grams)	Phase 2 (grams)
136	1.133	0.154
137	1.134	0.160
138	1.136	0.163
139	1.138	0.166
140	1.139	0.171
141	1.139	0.174
142	1.139	0.177
143	1.139	0.180
144	1.139	0.185
145	1.139	0.186
146	1.139	0.186
147	1.139	0.186
148	1.139	0.187
149	1.139	0.188
150	1.139	0.191
151	1.139	0.197
152	1.139	0.198
153	1.141	0.199
154	1.153	0.200
155	1.209	0.201
156	1.426	0.211
157	1.460	0.248
158	1.543	0.260
159	1.668	0.339
160	1.856	0.364
161	2.095	0.387
162	2.412	0.456
163	2.730	0.687
164	3.032	0.768
165	3.183	0.908
166	3.208	1.126
167	3.223	1.238
168	3.233	1.314
169	3.426	1.433
170	3.535	1.513
171	3.741	1.583
172	3.926	1.623
173	4.063	1.699
174	4.227	1.801
175	4.414	2.038
176	4.505	2.058
177	4.587	2.146
178	4.668	2.200
179	4.743	2.212
180	4.807	2.228
181	5.031	2.281
182	5.101	2.383
183	5.189	2.564
184	5.421	2.716
185	5.489	2.749
186	5.663	2.802
187	5.747	2.879
188	5.884	2.974

Second	Composite (grams)	Phase 2 (grams)
189	5.969	3.005
190	6.005	3.043
191	6.116	3.129
192	6.171	3.150
193	6.233	3.156
194	6.297	3.163
195	6.367	3.194
196	6.407	3.227
197	6.437	3.247
198	6.463	3.265
199	6.494	3.291
200	6.535	3.311
201	6.556	3.353
202	6.585	3.416
203	6.637	3.443
204	6.705	3.486
205	6.763	3.523
206	6.848	3.556
207	6.875	3.607
208	6.908	3.625
209	6.951	3.694
210	6.988	3.727
211	7.051	3.729
212	7.136	3.754
213	7.249	3.805
214	7.250	3.868
215	7.251	3.889
216	7.270	3.913
217	7.320	3.992
218	7.371	4.007
219	7.434	4.094
220	7.451	4.122
221	7.455	4.131
222	7.462	4.145
223	7.466	4.171
224	7.468	4.189
225	7.502	4.193
226	7.532	4.201
227	7.532	4.216
228	7.532	4.240
229	7.552	4.240
230	7.579	4.241
231	7.581	4.247
232	7.581	4.268
233	7.592	4.274
234	7.603	4.296
235	7.604	4.297
236	7.607	4.297
237	7.608	4.297
238	7.613	4.310
239	7.622	4.343

(3)(a) Motor vehicles having composite oxides of nitrogen emission limitations in Table 1 of at least 1.5 grams/mile but less than 2.0 grams/mile.

Second	Composite (grams)
30	0.084
31	0.088
32	0.094
33	0.108
34	0.116
35	0.120
36	0.122
37	0.122
38	0.124
39	0.124
40	0.126
41	0.130
42	0.138
43	0.156
44	0.164
45	0.172
46	0.180
47	0.186
48	0.192
49	0.192
50	0.200
51	0.206
52	0.218
53	0.232
54	0.236
55	0.240
56	0.246
57	0.250
58	0.254
59	0.254
60	0.256
61	0.258
62	0.260
63	0.262
64	0.264
65	0.266
66	0.268
67	0.270
68	0.276
69	0.282
70	0.288
71	0.294
72	0.300
73	0.302
74	0.302
75	0.306
76	0.312
77	0.324
78	0.326
79	0.330
80	0.336
81	0.348
82	0.354

Second	Composite (grams)
83	0.358
84	0.362
85	0.368
86	0.374
87	0.374
88	0.374
89	0.374
90	0.374
91	0.374
92	0.374
93	0.374
94	0.374
95	0.374
96	0.374
97	0.374
98	0.374
99	0.376
100	0.382
101	0.394
102	0.412
103	0.434
104	0.452
105	0.462
106	0.478
107	0.492
108	0.496
109	0.498
110	0.498
111	0.506
112	0.514
113	0.518
114	0.522
115	0.530
116	0.538
117	0.540
118	0.540
119	0.540
120	0.546
121	0.548
122	0.556
123	0.562
124	0.568
125	0.570
126	0.570
127	0.570
128	0.570
129	0.570
130	0.570
131	0.570
132	0.570
133	0.570
134	0.570
135	0.570

Second	Composite (grams)
136	0.580
137	0.588
138	0.592
139	0.598
140	0.612
141	0.628
142	0.636
143	0.644
144	0.652
145	0.654
146	0.656
147	0.658
148	0.660
149	0.662
150	0.664
151	0.666
152	0.670
153	0.672
154	0.676
155	0.678
156	0.682
157	0.690
158	0.708
159	0.734
160	0.758
161	0.780
162	0.796
163	0.820
164	0.860
165	0.888
166	0.916
167	0.960
168	0.986
169	1.006
170	1.050
171	1.110
172	1.126
173	1.136
174	1.150
175	1.160
176	1.168
177	1.174
178	1.194
179	1.212
180	1.232
181	1.252
182	1.272
183	1.294
184	1.314
185	1.336
186	1.374
187	1.402
188	1.426

Second	Composite (grams)
189	1.448
190	1.466
191	1.486
192	1.510
193	1.538
194	1.566
195	1.592
196	1.610
197	1.634
198	1.650
199	1.676
200	1.704
201	1.734
202	1.748
203	1.758
204	1.758
205	1.760
206	1.762
207	1.772
208	1.786
209	1.800
210	1.810
211	1.820
212	1.844
213	1.866
214	1.896
215	1.916
216	1.946
217	1.966
218	1.980
219	1.998
220	2.006
221	2.018
222	2.020
223	2.026
224	2.034
225	2.036
226	2.036
227	2.036
228	2.036
229	2.036
230	2.036
231	2.036
232	2.038
233	2.038
234	2.038
235	2.038
236	2.038
237	2.038
238	2.038
239	2.038

FINDING OF EMERGENCY

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

Many 1980 to 1986 model year vehicles cannot reasonably maintain a level of emissions that would comply with the emission limitations scheduled to go into effect on December 1, 1997, under the current rule. In addition, the number of 1990 and older model year vehicles that would need to be repaired in order to comply with these limitations may exceed the number of vehicles the repair industry could effectively repair. Finally, after December 1, 1997, no fast-pass emission limitations will apply to some 1994 and newer model year vehicles. (Fast-pass limitations enable very clean vehicles to pass the I/M program's emissions test in less time than the typical test.) Preservation of the public welfare necessitates the adoption of an emergency rule since: (1) the repairs that would need to be done on some 1990 and older model year vehicles attempting to comply with the emission limitations scheduled to go into effect on December 1, 1997, are likely to be costly and ineffective in keeping emissions low, and (2) the absence of fast-pass emission limitations for some newer vehicles would unnecessarily increase the time motorists would need to wait in line at the I/M test stations prior to having their vehicles tested.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on December 3, 1997.

The rule shall take effect on January 1, 1998.

Dated at Madison, Wisconsin December 5, 1997.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

BY George E. Meyer
George E. Meyer, Secretary

(SEAL)

JOINT COMMITTEE HEARINGS

The Joint Committee for Review of Administrative Rules will hold an **executive session** in Room 225 Northwest of the State Capitol, on the following at the time below:

Thursday, May 28, 1998 at 2:00 p.m.

- | | |
|--|---|
| Emergency Rule NR 485.04 | Relating to motor vehicle emission standards. Extension of the effective period of this emergency rule by 60 days, at the request of the Department of Natural Resources. <i>First Consideration.</i> |
| Emergency Rule Comm 110 | Relating to the Brownfields Grant Program. Extension of the effective date of this emergency rule by 60 days, at the request of the Department of Commerce. <i>First Consideration.</i> |
| Emergency Rule Comm 51.03, <i>et. al</i> | Relating to fire-protective penetrations in commercial dwellings and multifamily dwellings. Extension of the effective date of this emergency rule by 60 days, at the request of the Department of Commerce. <i>First Consideration.</i> |

Senator Robert Welch
Senate Co-Chair

Representative Glenn Grothman
Assembly Co-Chair

Emergency Rule Comm 110

Relating to: the Brownfields Grant Program. Submitted by the Department of Commerce.

May 28, 1998

EXECUTIVE SESSION/POLLING HELD

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

Absent: (3) Senators Huelsman and Potter; Representative R. Young.

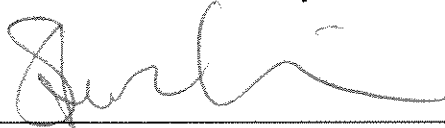
Moved by Senator Welch, seconded by Representative Grothman, that pursuant to s. 227.24(2)(a), the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule Comm 110 by 60 days, at the request of the Department of Commerce.

Ayes: (9) Senators Welch, Darling, Huelsman, Grobschmidt, and Potter; Representatives Grothman, Gunderson, Seratti, and Kreuser.

Noes: (0) None.

Absent: (3) Senators Huelsman and Potter; Representatives R. Young.

EXTENSION GRANTED, Ayes 9, Noes 0, Absent 3.



Steven Krieser, Committee Clerk

Emergency Rule NR 485.04

Relating to: motor vehicle emission standards.
Submitted by the Department of Natural Resources.

May 28, 1998

EXECUTIVE SESSION/POLLING HELD

Moved by Senator Welch, seconded by Representative Grothman, that pursuant to s. 227.24(2)(a), the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule NR 485.04 by 60 days, at the request of the Department of Natural Resources.

Ayes: (9) Senators Welch, Darling, Huelsman, Grobschmidt, and Potter; Representatives Grothman, Gunderson, Seratti, and Kreuser.

Noes: (0) None.

Absent: (3) Senators Huelsman and Potter; Representative R. Young.

EXTENSION GRANTED, Ayes 9, Noes 0, Absent 3.



Steven Krieser, Committee Clerk

Emergency Rule Comm 51.03, et. al.

Relating to: fire-protective penetrations in commercial dwellings and multifamily dwellings. Submitted by the Department of Commerce.

May 28, 1998

EXECUTIVE SESSION/POLLING HELD

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

Absent: (3) Senators Huelsman and Potter; Representative R. Young.

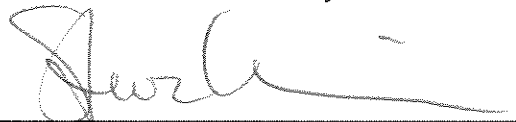
Moved by Senator Welch, seconded by Representative Grothman, that pursuant to s. 227.24(2)(a), the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule Comm 51.03 *et. al.* by 60 days, at the request of the Department of Commerce.

Ayes: (9) Senators Welch, Darling, Huelsman, Grobschmidt, and Potter; Representatives Grothman, Gunderson, Seratti, and Kreuser.

Noes: (0) None.

Absent: (3) Senators Huelsman and Potter; Representatives R. Young.

EXTENSION GRANTED, Ayes 9, Noes 0, Absent 3.



Steven Krieser, Committee Clerk

May 28, 1998

William McCoshen, Secretary
Department of Commerce
123 West Washington Avenue
Madison, WI 53707-7970

Dear Secretary McCoshen:

The Joint Committee for the Review of Administrative Rules met in Executive Session on May 28, 1998 and adopted the following motions:

Moved by Senator Welch, seconded by Representative Grothman that pursuant to s. 227.24(2)(a), the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule Comm 110 by 60 days, at the request of the Department of Commerce.

Ayes: (9) Senators Welch, Darling, Huelsman, Grobschmidt and Potter; Representatives Grothman, Seratti, and Kreuser.

Noes: (0) None.

Absent: (3) Senators Huelsman and Potter; Representative R. Young.

EXTENSION GRANTED, Ayes 9, Noes 0, Absent 3.

Moved by Senator Welch, seconded by Representative Grothman, that pursuant to s. 227.24(2)(a), the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule Comm 51.03, et. al., by 60 days, at the request of the Department of Commerce.

Ayes: (9) Senators Welch, Darling, Huelsman, Grobschmidt and Potter; Representatives Grothman, Seratti, and Kreuser.

Noes: (0) None.

Absent: (3) Senators Huelsman and Potter;
Representative R. Young.

EXTENSION GRANTED, Ayes 9, Noes 0, Absent 3.

Pursuant to s. 227.24(2)(c) Stats, we are notifying the Secretary of State and the Revisor of Statutes of the Committee's action through copies of this letter.

Sincerely,

Senator Robert Welch
Senate Co-Chair

Representative Glenn Grothman
Assembly Co-Chair

BW:GG:swk

cc: Secretary of State Doug LaFollette
Revisor of Statutes Gary Poulson