

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
-
- Committee Hearings ... CH
-
- Committee Reports ... CR
-
- Executive Sessions ... ES
-
- Hearing Records ... HR
-
- Miscellaneous ... Misc
- 97hr_JCR-AR_Misc_pt22c
- Record of Comm. Proceedings ... RCP
-

JCP&R HEARINGS NOTICE
BACHGEORGIAD - ETC. 9/16/98



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JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

PECFA Information - Background

The purpose of this background document is to outline the various provisions of PECFA law. The law was amended in Act 27 to provide that the Department of Natural Resources (DNR) and the Department of Commerce (DOC) would enter into a Memorandum of Understanding (MOU) relating to the administration of the Petroleum Environmental Cleanup Fund Award (PECFA) program. The MOU would determine the administration of high, medium and low priority contaminated sites by the two agencies. This memorandum is based on various documents prepared by Kendra Bonderud of the Legislative Fiscal Bureau and budget summary documents.

Statutory Requirements

DNR is charged with the responsibility of administering cleanup of high priority sites contaminated with petroleum and non-petroleum hazardous substances. The DNR was to have transferred to the DOC the administration for clean up of medium and low priority sites. The determinations were to be based on the threat that the discharge poses to public health, safety, welfare and to the environment.

These actions were to be accomplished by an MOU as mentioned above. The MOU, which is to be agreed to by both agencies, establishes the following:

1. Respective functions of the two agencies with respect to the administration of cleanup of petroleum storage tank discharges and the PECFA program;
2. Procedures to ensure that cleanups at DOC administered sites are consistent with the hazardous substance spills law; and
3. Procedures, standards and schedules for determining which sites are classified as high, medium and low priority.

Upon agreement, the MOU is submitted to the Secretary of the Department of Administration (DOA) prior to taking effect.

The 1997 Act 237 (Budget Adjustment Act) directs the Secretaries of the DOC, DNR and DOA to submit reports to the Joint Committee on Finance at the September (1998) and March (1999) s. 13.10 meetings. The report will update the progress of the agencies in complying with the requirements of the MOU. Each report is designed to provide the following information:

1. Progress in determining the classification of sites as high, medium and low priority;
2. Number of sites under the control of the DNR and DOC;
3. Number of sites closed by the DNR and DOC;
4. Time it takes to close petroleum discharge sites after they are reported to the state;
5. Progress made by the DOC in using authority under the PECFA statute requiring the use of specified service providers as a cost savings measure for cleanups and requiring owners of petroleum discharge sites to use a public bidding process in order to reduce costs;
6. Summary of definitions in the MOU of high, medium and low priority sites and the reasons for those definitions; and
7. A description of the causes for that number of high priority sites if more than 30 % of the total known active petroleum discharge sites are classified as high priority.

The oversight created in Act 237 does not require the Joint Committee on Finance to take any specific action on the report. Although the Committee could request any or all three secretaries to appear and provide further information, there is no statutory oversight or legislative approval required in this act. Changes would have to be done through additional legislation.

Joint Committee Review

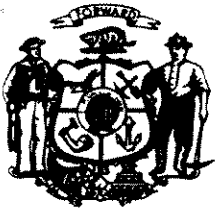
The Administrative Rules process outlined in Chapter 227 does cover the PECFA program and the cleanup of contaminated land. The JCRAR is undertaking a formal review of the various rules covering PECFA by initiating the public hearing process for the purpose of review of not only the MOU agreements, but also an overview of the overall management and administration of the program. This would include a review of Agency plans to codify the following:

1. Agency functions with respect to the MOU and the administration of the PECFA program;
2. Classification methods for low, medium and high priority sites as well as sites where priority is unknown;
3. Systems used to determine how and why a discharge poses a threat to public health, safety and welfare and to the environment;
4. Data models for tracking sites;
5. Criteria for the establishment of preventative action limits (PALs) and other enforcement standards.
6. Methods for handling sites that exceed preventative action limits (PAL's) but are less than the enforcement standards in NR 140 in order to close sites in a more timely and cost efficient manner;
7. Criteria for mini-investigation process and costs for this process;
8. Criteria for approval process for site investigation reports sent to departments directly by consultants;
9. Methods for capping costs for services provided under the PECFA program and the rate catalog which will integrate them into COMM 47;
10. Methods for implementing a Risk Based Corrective Action policy for all sites regardless of their priority; and
11. Criteria that will allow sites to be moved from the DNR to the DOC
12. Rationale and need for NR 749 "Fees Providing Assistance; Remediation and Redevelopment Program".

Agencies will be asked to comment on other issues which will help the committee determine the adequacy of the rules being proposed, including:

- Methods to reduce backlog for payments of claims;
- Funding alternatives for the program; and
- Wisconsin's ranking of per capita spending as compared to other states.

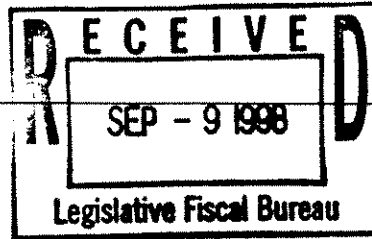
A discussion of these issues and the public testimony should give the members of the Joint Committee the opportunity to review relevant issues that should and could be addressed as part of the Administrative Code for this program.



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR
MARK D. BUGHER
SECRETARY

Mailing Address:
Post Office Box 7864
Madison, WI 53707-7864



September 3, 1998

The Honorable Timothy Weeden
Senate Co-Chair
Joint Committee on Finance
1 East Main Street, Room 203
Madison, WI 53702

The Honorable John Gard
Assembly Co-Chair
Joint Committee on Finance
315 North, State Capitol
Madison, WI 53702

Dear Senator Weeden and Representative Gard:

Attached is the first of two progress reports regarding implementation of the revised memorandum of understanding between the Departments of Administration (DOA), Commerce (Commerce) and Natural Resources (DNR) concerning the PECFA program. As required by 1998 Act 237, this report is submitted for Joint Committee on Finance consideration at its September 1998, s. 13.10 meeting. These progress reports are intended to communicate the efforts of the two agencies toward limiting cleanup costs and speeding site closures.

Both agencies have worked diligently in seeking ways to streamline the site investigation and closure process. Furthermore, significant progress has been made in linking the site databases of the two agencies in order to ensure that sites are being appropriately classified and assigned. Given the complex nature of cleanup work and the multitude of sites involved, discussions regarding changes to procedures to more rapidly investigate and close sites have at times been time consuming. However, staff and management of both agencies are to be commended for their commitment to the process.

The attached report represents much work that is in progress and a data reporting system that needs significant refinement. The document also summarizes efforts made during eight MOU meetings held over the last 3 months. Key elements of the report are summarized below:

Unclassified sites and case assignment: DNR reviewed the status of all sites by June 12, 1998, as required in the MOU, and provided Commerce and DOA with a report. Approximately 16% of all sites identified on the DNR database do not have a classification primarily due to lack of a site investigation report. All other sites have been classified and assigned to the appropriate agency based on priority level. Classification and assignment of new sites to the appropriate agency by consultants has begun on a pilot basis. This streamlining effort will be reviewed by both agencies by March 31, 1999.

Classification of sites: As of September 2, 1998, a total of 10,916 sites had been identified on both the Commerce and DNR databases. Of that number, 8,758 sites (80%) are assigned to DNR and 2,158 sites (20%) are under Commerce jurisdiction.

Another 5,571 sites in the DNR database still need to be reconciled with Commerce records. An unknown number of these sites may be PECFA-eligible. Of the 10,916 sites appearing in both databases, 4,946 sites (45%) have been closed. Over 75% of the sites closed under DNR jurisdiction and 70% of sites closed under Commerce jurisdiction were completed within four years. Based on site classification criteria defined in the MOU, primarily due to groundwater contaminants exceeding the preventive action limit, approximately 62% of active sites in the database are classified as high priority. A review of all active and closed sites on the database finds that 45% have been classified as high priority.

Mini-investigations: This is an area where both agencies agree that there may be sites that can be rapidly investigated and closed at relatively low cost. They continue to work toward developing an implementation procedure that gathers enough information at the lowest possible cost to ensure a complete cleanup. Critical steps yet to be completed include outlining the scope of these procedures and developing guidance documents for agency staff and the public. The agencies are resolved to completing these tasks as soon as possible.

Public bidding and bundling of sites: In response to Commerce's latest emergency rule for the PECFA program, the mix of sites with lower cost cleanup plans appears to have improved dramatically. The emergency rule establishes an \$80,000 cost cap for sites that agree to adhere to the cap in exchange for less department oversight and quicker claim review. In the three months prior to implementation of the emergency rule, 16.6% of 390 submitted site plans were for less than \$120,000. Since the effective date of the emergency rule, 31.3% of 128 submitted site plans were for \$80,000 or less.

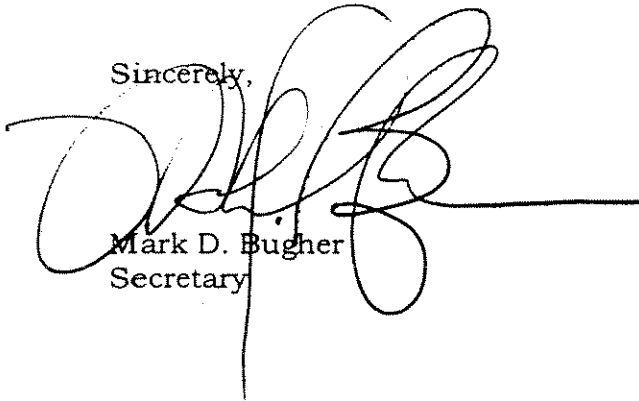
Bundling of sites is still in the very early stages of implementation. However, on the one bundle that has moved forward, savings of \$213,000 were achieved through lower excavation, disposal and backfilling costs. Commerce has also noticed increased interest in this approach from site owners. Conclusions from the initial stages of this initiative are that high quality investigations are critical and that creative strategies may be necessary to address unavoidable cost overruns.

The great majority of the effort over the last three months has been focused on reconciling a variety of data to ensure sites are appropriately classified and assigned to the two agencies. The next six months will focus on continued streamlining of the site closure process, including a more complete plan for implementing mini-

Senator Timothy Weeden and Representative John Gard
September 3, 1998
Page 3

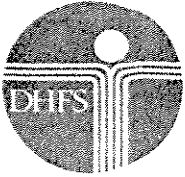
investigations at appropriate sites. All three agencies have embraced the need to bring together their respective expertise toward ensuring a successful cleanup program at the lowest possible cost.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'M. Bugher', with a long horizontal line extending to the right.

Mark D. Bugher
Secretary

CC: Members, Joint Committee on Finance
Bob Lang
Representative Johnsrud
Representative Duff
Secretary McCoshen
Secretary Meyer



State of Wisconsin
Department of Health and Family Services

Tommy G. Thompson, Governor
Joe Leean, Secretary



September 4, 1998

The Honorable Robert Welch, Co-Chairperson
Joint Committee for Review of Administrative Rules
Room 201, One East Main
Madison, Wisconsin

Dear Senator Welch:

The Department of Health and Family Services has an emergency rulemaking order in effect relating to exemption of concession stands at locally sponsored sporting events from being regulated as restaurants. The emergency rules will expire before permanent rules replace them unless the effective period of the emergency rules is extended. Pursuant to s. 227.24 (2), Stats., I ask the Joint Committee to extend the effective period of the emergency rules by 52 days, from October 10, 1998, through November 30, 1998.

The current Budget Act, 1997 Wisconsin Act 27, created s. 254.61 (5) (g), Stats., which exempts "a concession stand at a locally sponsored sporting event, such as a little league game" from being regulated as a restaurant. The emergency order added this type of food service operation to a list of exempt operations in the rules. In this connection, the Department defined "concession stand" and "locally sponsored sporting event." The rule changes were published by emergency order to provide for uniform statewide enforcement and in particular to ensure that no local inspector would exempt from regulation food stands at locally sponsored sporting events for adults. The Joint Committee in executive session on July 30, 1998, extended the effective period of the rules for 60 days through October 9, 1998. Replacement permanent rules, amended to delete the phrase, "under the age of 18," in recognition that some youth sporting events involve young people who may be ages 18 and 19 and older, were submitted to the presiding officers of the Legislature on August 7, 1998, for review by standing committees but will not likely be filed until about September 15, 1998, for a December 1, 1998, effective date. If the effective period of the emergency rules is not further extended by the requested number of days, the Department in the interim cannot guarantee uniform statewide enforcement of the new statute.

A copy of the emergency rulemaking order is attached to this letter. If you have any questions about the rules, you may contact Edward Rabotski of the Department's Division of Health at 266-8294.

Sincerely,

A handwritten signature in cursive script that reads "Joe Leean".

Joe Leean
Secretary

Attachment

cc Representative Grothman

2-12-98

ORDER OF THE
DEPARTMENT OF HEALTH AND FAMILY SERVICES
AMENDING AND CREATING RULES

FINDING OF EMERGENCY

The Department of Health and Family Services finds that an emergency exists and that the adoption of the rules included in this order is necessary for the immediate preservation of the public peace, health, safety or welfare. The facts constituting the emergency are as follows:

The current Budget Act, 1997 Wisconsin Act 27, effective October 14, 1997, created s. 254.61 (5) (g), Stats., to exempt a concession stand at a "locally sponsored sporting event" from being regulated under ch. HFS 196 as a restaurant. Following enactment of the State Budget, the Department received several inquiries from its own region-based inspectors and local health departments serving as the Department's agents for enforcement of the Department's environmental sanitation rules, including rules for restaurants, about the meaning of "locally sponsored sporting event." What did the term cover? Did it cover food stands at facilities of locally-owned sports franchises? Were these now to be exempt from regulation under the restaurant rules?

This rulemaking order adds the new exemption to the Department's rules for restaurants and, in this connection, defines both "locally sponsored sporting event" and "concession stand." The order makes clear that the exemption refers only to concession stands at sporting events for youth, that is, for persons under 18 years of age. That interpretation is supported by the statutory phrase, "such as a little league game," that follows the term, "locally sponsored sporting event," in s. 254.61 (5) (g), Stats. The order further narrows the applicability of the exemption by building into the definitions the Department's understanding of who organizes or sponsors an exempt sporting event and on whose behalf a concession stand at the event is operated.

Although the Department's understanding of what "locally sponsored sporting event" should be taken to mean has been communicated to its field-based inspectors and agent local health departments, this is no more than an interpretive guideline, lacking the force of law, until the Department has set out that understanding in its rules for restaurants. Because the process for making the permanent rule change will take several months, the Department is publishing the rule change now by emergency order in the interests of protecting the public's health. The emergency rule order will ensure that, pending promulgation of the permanent rule change, there will be uniform statewide enforcement of the statute change that will prevent any local inspector from exempting from regulation food stands at locally sponsored sporting events for adults.

ORDER

Pursuant to authority vested in the Department of Health and Family Services by ss. 227.24 (1) and 254.74 (1), Stats., the Department of Health and Family Services hereby amends and creates rules interpreting s. 254.61 (5) (g), Stats., as created by 1997 Wisconsin Act 27, as follows:

SECTION 1. HFS 196.03 (22) (e) and (f) are amended to read:

HFS 196.03 (22) (e) Bed and breakfast establishments; ~~or~~

(f) A private individual selling food from a moveable or temporary stand at a public farm sale; or

SECTION 2. HFS 196.03 (22) (g) is created to read:

HFS 196.03 (22) (g) A concession stand at a locally sponsored sporting event, such as a little league game. In this paragraph, "concession stand" means a food stand which serves meals and is operated exclusively for the benefit of a participating youth sports team or program or the governing youth sports organization, and "locally sponsored sporting event" means a competitive game, taking place inside or outside, specifically for youth under the age of 18, which is organized or sponsored by one or more local business, governmental or other civic organizations, or by parents of the youth, including a school-sponsored interscholastic sports competition.

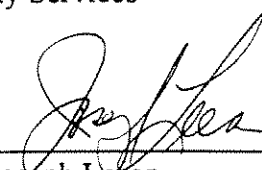
Note: Examples of locally sponsored sporting events are peewee, midget and little league baseball games, youth soccer games, minicycle races and time trials for youth, youth basketball games, youth football games, track and field competitions for youth, youth hockey tournaments and youth swimming meets.

The rules contained in this order shall take effect as emergency rules upon publication in the official state newspaper, as provided in s. 227.24 (1) (c), Stats.

Wisconsin Department of Health and
Family Services

Date: March 2, 1998

By: _____


Joseph Lee
Secretary

SEAL:

FISCAL ESTIMATE
DOA-2048 N(R10/96)

- ORIGINAL
- CORRECTED
- UPDATED
- SUPPLEMENTAL

Subject EXEMPTION OF CONCESSION STANDS AT LOCALLY SPONSORED SPORTING EVENTS FROM BEING REGULATED AS RESTAURANTS

Fiscal Effect

State: No State Fiscal Effect

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

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

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

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 order amends the Department's rules for restaurants to add concession stands at locally sponsored sporting events to a list of food service operations that are exempt under s. 254.61 (5), Stats., from being regulated as restaurants, and for this purpose to define "concession stand" and "locally sponsored sporting event." The addition of "a concession stand at a locally sponsored sporting event, such as a little league game," was made to the list of exempt food service operations in s. 254.61 (5), Stats., by 1997 Wisconsin Act 27.

At the beginning of February 1998 the Department and agent county, city and city-county local health departments together regulated 19,635 restaurants under ch. HFS 196. The new exemption applies to very few food service operations, and will mean for both the Department and agent local health departments a very modest reduction in workload and permit fee revenues. But those reductions are the consequence of the statute change. The rulemaking order itself will not affect the expenditures or revenues of state government or local governments.

Long-Range Fiscal Implications

Agency/Prepared by: (Name & Phone No.)

H&FS/ Edward Rabotski, 266-8294

Authorized Signature/Telephone No.

Richard W. Lorang
Richard W. Lorang, 266-9622

Date

2-27-98



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JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

Attendance Form

Last Modified July 1998

Date: September 16, 1998

Accounting for: Public Hearing Executive Session

Location: Room 417 North, State Capitol Building

| COMMITTEE MEMBER | PRESENT | ABSENT | EXCUSED |
|-----------------------------|---------|--------|---------|
| 1. Senator WELCH | ✓ | | |
| 2. Senator DARLING | ✓ | | |
| 3. Senator HUELSMAN | ✓ | | |
| 4. Senator GROBSCHMIDT | ✓ | | |
| 5. Senator BRESKE | ✓ | | |
| 6. Representative GROTHMAN | ✓ | | |
| 7. Representative GUNDERSON | ✓ | | |
| 8. Representative SERATTI | ✓ | | |
| 9. Representative YOUNG | ✓ | | |
| 10. Representative KREUSER | ✓ | | |
| Totals | 10 | 0 | 0 |

Steve Krieser

Steven Krieser, Committee Clerk



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JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

Motion Form

Last Modified September 1998

Date 9-16-98

Location 417 North, State Capitol

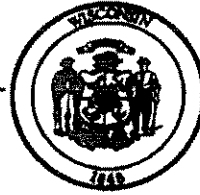
Moved by _____, Seconded by _____

THAT, pursuant to s. 227.26 (2)(b), stats., the Joint Committee
directs the ^{DOC} Department of Natural Resources to promulgate ^{a joint}
an emergency rule, within 30 days, those portions of the
MOU between the DNR and the Dept. of Commerce relating to
the classification of contamination sites, the disbursement of
funds between agencies, and all other statements of policy.

| COMMITTEE MEMBER | Aye | No | Absent |
|-----------------------------|-----|----|--------|
| 1. Senator WELCH | | | |
| 2. Senator DARLING | | | |
| 3. Senator HUELSMAN | | | |
| 4. Senator GROBSCHMIDT | | | |
| 5. Senator BRESKE | | | |
| 6. Representative GROTHMAN | | | |
| 7. Representative GUNDERSON | | | |
| 8. Representative SERATTI | | | |
| 9. Representative YOUNG | | | |
| 10. Representative KREUSER | | | |
| Totals | | | |

Motion Carried

Motion Failed



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**JOINT COMMITTEE FOR
REVIEW OF ADMINISTRATIVE RULES**

Emergency Rule Extension Motion Form

Last Modified September 1998

Date: September 16, 1998

Location: Room 417 North, State Capitol

Moved by _____, Seconded by _____

THAT, pursuant to s. 227.24(2)(a), stats., the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule HFS 196.03 by 52 days, at the request of the Department of Health and Family Services.

| COMMITTEE MEMBER | Aye | No | Absent |
|-----------------------------|-----|----|--------|
| 1. Senator WELCH | | | |
| 2. Senator DARLING | | | |
| 3. Senator HUELSMAN | | | |
| 4. Senator GROBSCHMIDT | | | |
| 5. Senator BRESKE | | | |
| 6. Representative GROTHMAN | | | |
| 7. Representative GUNDERSON | | | |
| 8. Representative SERATTI | | | |
| 9. Representative YOUNG | | | |
| 10. Representative KREUSER | | | |
| Totals | | | |

Motion Carried

Motion Failed



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JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

Emergency Rule Extension Motion Form

Last Modified September 1998

Date: September 16, 1998

Location: Room 417 North, State Capitol

Moved by Welch, Seconded by Grothman

THAT, pursuant to s. 227.24(2)(a), stats., the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule DOC 328.22(5) by 13 days, at the request of the Department of Corrections.

*All em. rules
except TCSB
and JHR 47*

| COMMITTEE MEMBER | | Aye | No | Absent |
|-----------------------------|---|-----|----|--------|
| 1. Senator WELCH | ✓ | ✓ | | |
| 2. Senator DARLING | ✓ | ✓ | | |
| 3. Senator HUELSMAN | ✓ | ✓ | | |
| 4. Senator GROBSCHMIDT | ✓ | ✓ | | |
| 5. Senator BRESKE | ✓ | ✓ | | |
| 6. Representative GROTHMAN | ✓ | ✓ | | |
| 7. Representative GUNDERSON | ✓ | ✓ | | |
| 8. Representative SERATTI | ✓ | ✓ | | |
| 9. Representative YOUNG | ✓ | ✓ | | |
| 10. Representative KREUSER | ✓ | ✓ | | |
| Totals | | 10 | 0 | 0 |

Motion Carried

Motion Failed



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JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

Emergency Rule Extension Motion Form

Last Modified September 1998

Date: September 16, 1998

Location: Room 417 North, State Capitol

Moved by Welch, Seconded by Grothman

THAT, pursuant to s. 227.24(2)(a), stats., the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule ILHR 47 by 60 days, at the request of the Department of Commerce.

| COMMITTEE MEMBER | Aye | No | Absent |
|-----------------------------|-----|----|--------|
| 1. Senator WELCH | ✓ | | |
| 2. Senator DARLING | ✓ | | |
| 3. Senator HUELSMAN | ✓ | | |
| 4. Senator GROBSCHMIDT | ✓ | | |
| 5. Senator BRESKE | ✓ | | |
| 6. Representative GROTHMAN | ✓ | | |
| 7. Representative GUNDERSON | ✓ | | |
| 8. Representative SERATTI | ✓ | | |
| 9. Representative YOUNG | | | |
| 10. Representative KREUSER | ✓ | | |
| Totals | | | |

Motion Carried

Motion Failed



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**JOINT COMMITTEE FOR
REVIEW OF ADMINISTRATIVE RULES**

Emergency Rule Extension Motion Form
Last Modified September 1998

Date: September 16, 1998

Location: Room 417 North, State Capitol

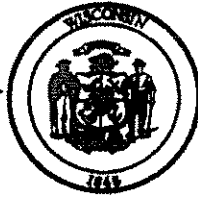
Moved by _____, Seconded by _____

THAT, pursuant to s. 227.24(2)(a), stats., the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule COMM 69.18(2)(a) 2. c. by 60 days, at the request of the Department of Commerce.

| COMMITTEE MEMBER | Aye | No | Absent |
|-----------------------------|-----|----|--------|
| 1. Senator WELCH | | | |
| 2. Senator DARLING | | | |
| 3. Senator HUELSMAN | | | |
| 4. Senator GROBSCHMIDT | | | |
| 5. Senator BRESKE | | | |
| 6. Representative GROTHMAN | | | |
| 7. Representative GUNDERSON | | | |
| 8. Representative SERATTI | | | |
| 9. Representative YOUNG | | | |
| 10. Representative KREUSER | | | |
| Totals | | | |

Motion Carried

Motion Failed



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JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

Emergency Rule Extension Motion Form

Last Modified September 1998

Date: September 16, 1998

Location: Room 417 North, State Capitol

Moved by _____, Seconded by _____

THAT, pursuant to s. 227.24(2)(a), stats., the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule PSC 16.05, 160.11(6), 160.17, and 161 by 60 days, at the request of the Public Service Commission (TEACH Board).

| COMMITTEE MEMBER | Aye | No | Absent |
|-----------------------------|-----|----|--------|
| 1. Senator WELCH | | | |
| 2. Senator DARLING | | | |
| 3. Senator HUELSMAN | | | |
| 4. Senator GROBSCHMIDT | | | |
| 5. Senator BRESKE | | | |
| 6. Representative GROTHMAN | | | |
| 7. Representative GUNDERSON | | | |
| 8. Representative SERATTI | | | |
| 9. Representative YOUNG | | | |
| 10. Representative KREUSER | | | |
| Totals | | | |

Motion Carried

Motion Failed



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JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

Emergency Rule Extension Motion Form

Last Modified September 1998

Date: September 16, 1998

Location: Room 417 North, State Capitol

Moved by Welch, Seconded by Grothman

THAT, pursuant to s. 227.24(2)(a), stats., the Joint Committee for Review of Administrative Rules extend the effective period of emergency rule TCS 15 by 60 days, at the request of the Wisconsin Technical College System Board.

| COMMITTEE MEMBER | Aye | No | Absent |
|-----------------------------|-----|----|--------|
| 1. Senator WELCH | ✓ | | |
| 2. Senator DARLING | ✓ | | |
| 3. Senator HUELSMAN | ✓ | | |
| 4. Senator GROBSCHMIDT | ✓ | | |
| 5. Senator BRESKE | ✓ | | |
| 6. Representative GROTHMAN | ✓ | | |
| 7. Representative GUNDERSON | ✓ | | |
| 8. Representative SERATTI | ✓ | | |
| 9. Representative YOUNG | ✓ | | |
| 10. Representative KREUSER | | ✓ | |
| Totals | 9 | 1 | 0 |

Motion Carried

Motion Failed



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JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

Motion Form

Last Modified September 1998

Date 9-16-98 Location 417N, Capitol

Moved by _____, Seconded by _____

THAT, pursuant to s. 227.26 (2)(b), Stats., the Joint Committee directs the Department of Natural Resources to promulgate as an emergency rule, within 30 days, those portions of the MOU between the DNR and the Dept. of Commerce relating to the classification of contamination sites, the disbursement of funds between agencies, and all other statements of policy.

| COMMITTEE MEMBER | Aye | No | Absent |
|-----------------------------|-----|----|--------|
| 1. Senator WELCH | | | |
| 2. Senator DARLING | | | |
| 3. Senator HUELSMAN | | | |
| 4. Senator GROBSCHMIDT | | | |
| 5. Senator BRESKE | | | |
| 6. Representative GROTHMAN | | | |
| 7. Representative GUNDERSON | | | |
| 8. Representative SERATTI | | | |
| 9. Representative YOUNG | | | |
| 10. Representative KREUSER | | | |
| Totals | | | |

Motion Carried

Motion Failed