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☛ Details: DNR Emergency Order WA-31-06(E). Public hearing held January 17, 2007.

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Joint

(Assembly, Senate or Joint)

Committee for Review of Administrative Rules...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

DNR Emergency Order WA-31-06(E)

DNR requesting extension of Emergency Order pertaining to the transportation of hazardous waste.

January 17, 2007

PUBLIC HEARING HELD

Present: (9) Senators Jauch, Lehman, Kreitlow and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Nelson.

Absent: (1) Senator Grothman.

Appearances For

- Joanie Burnis — DNR

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

January 17, 2007

EXECUTIVE SESSION HELD

Present: (10) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Nelson.

Absent: (0) None.

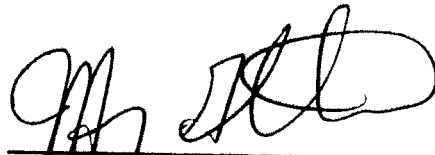
Moved by Representative Friske, seconded by Senator Jauch that **DNR Emergency Order WA-31-06(E)** be recommended for 60-day extension.

Ayes: (10) Senators Jauch, Lehman, Kreitlow,
*Grothman and Leibham; Representatives
LeMahieu, Zipperer, Friske, Black and
Nelson.

Noes: (0) None.

ADOPTION RECOMMENDED, Ayes 10, Noes 0

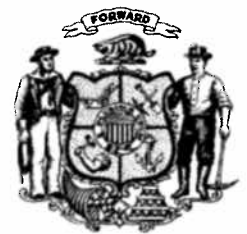
*Voted by Polling



Jeffrey Grothman
Committee Clerk



WISCONSIN STATE LEGISLATURE



1. A majority of the members appointed to the committee shall be physically present when a vote is taken, regardless of whether the action of the committee is taken through a roll call or by unanimous consent. The committee may not take action when a majority of the members appointed to the committee are not physically present.

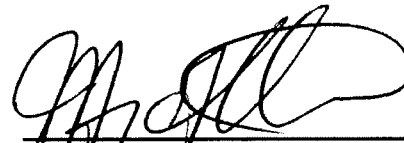
2. If a vote is taken by roll call, the roll shall be held open for absent members for four hours or until 5 p.m. following the adjournment of the committee, whichever is later. A member who votes following the adjournment of the committee shall be recorded as absent, but voting, and the vote may affect the outcome of the committee's decision.

Ayes: (10) Senators Jauch, Lehman, Kreitlow,
*Grothman and Leibham; Representatives
LeMahieu, Zipperer, Friske, Black and
Nelson.

Noes: (0) None.

ADOPTION RECOMMENDED, Ayes 10, Noes 0

*Voted by Polling



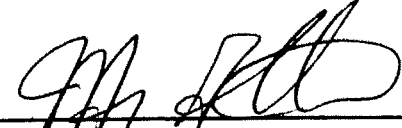
Jeffrey Grothman
Committee Clerk



Ayes: (10) Senators Jauch, Lehman, Kreitlow,
*Grothman and Leibham; Representatives
LeMahieu, Zipperer, Friske, Black and
Nelson.

Noes: (0) None.

INTRODUCTION RECOMMENDED, Ayes 10, Noes 0
*Voted by Polling



Jeffrey Grothman
Committee Clerk



Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

LRB 1166/1

Relating to: the administration by a dentist of oral medication to induce conscious sedation.

January 17, 2007

EXECUTIVE SESSION HELD

Present: (0) None.

Absent: (0) None.

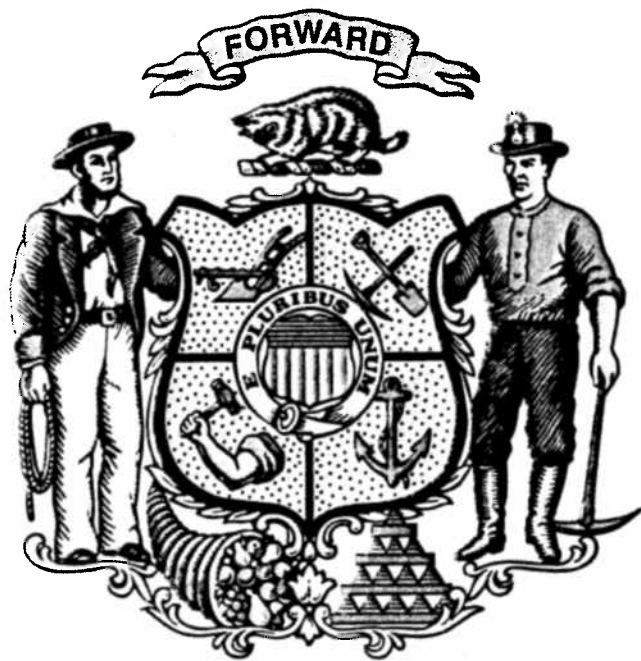
Moved by Representative LeMahieu, seconded by Senator Jauch that **LRB 1166/1** be recommended for introduction.

Ayes: (10) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Nelson.

Noes: (0) None.

INTRODUCTION RECOMMENDED, Ayes 10, Noes 0

Dan Kanninen
Committee Clerk



Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

LRB 1174/1

Relating to: Services of a dental hygienist as a Medical Assistance program benefit and prohibiting the DHFS from promulgating a rule under which dental hygienists may be certified as Medical Assistance providers for the provision of certain services. (Previous session Clearinghouse Rule 05-33)

January 17, 2007

PUBLIC HEARING HELD

Present: (9) Senators Jauch, Lehman, Kreitlow and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Nelson.

Absent: (1) Senator Grothman.

Appearances For

- Mara Brooks — WDA
- Constantine Stamatelakys — Dr, WDA
- Ned Murphy — WDA

Appearances Against

- Nancy McKenney — DHFS
- Rachel Carabell — DHFS
- Tracy Ellis — Price County Health Dept
- Kathy Williams , Phillips
- Nancy Rublee — Price County Health Dept
- Emily Kinsell Berger — WI Dental Hygienist Assoc
- Peter Theo — WI Dental Hygienist Assoc
- Diane Welsh — DHFS

Appearances for Information Only

- William Skarie — Dr., WI Dental Exam Board

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

January 17, 2007

EXECUTIVE SESSION HELD

Present: (10) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Nelson.
Absent: (0) None.

Moved by Senator Jauch, seconded by Representative Black that **The Joint Committee for Review of Administrative Rules rescinds, effective July 1, 2007, the following motion that the committee adopted on July 1, 2007:**

The Joint Committee for Review of Administrative Rules, pursuant to s. 227.19 (4) (d) 6. and (5) (d), Stats., objects to ss. HFS 105.01 (5) (a) 1. and (5m), 105.06 (2), 106.12 (12), 107.07 (1m) and 107.07 (4m), as affected by Clearinghouse Rule 05-33 as the rule was modified on June 14, 2006.
be recommended for Introduction.

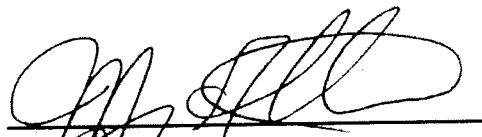
Ayes: (5) Senators Jauch, Lehman and Kreitlow;
Representatives Black and Nelson.
Noes: (5) Senators Grothman and Leibham;
Representatives LeMahieu, Zipperer and Friske.

INTRODUCTION NOT RECOMMENDED, Ayes 5, Noes 5

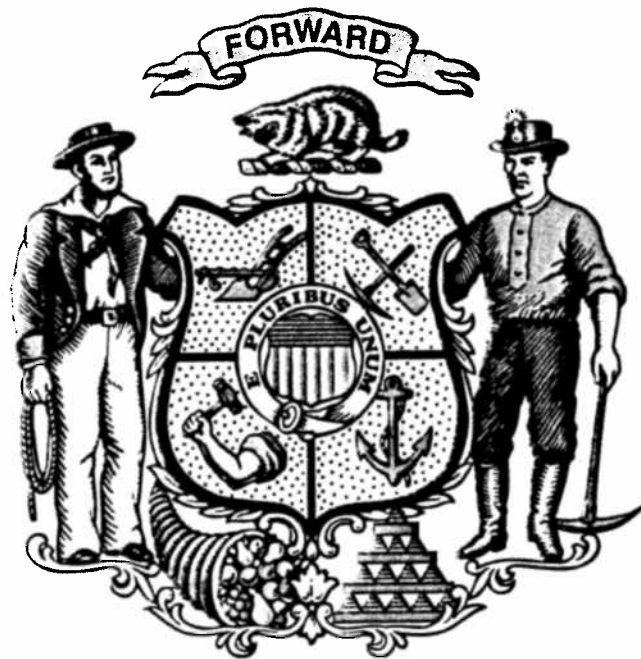
Moved by Representative LeMahieu, seconded by Senator Leibham that **LRB 1174/1** be recommended for Introduction.

Ayes: (5) Senators Grothman and Leibham;
Representatives LeMahieu, Zipperer and Friske.
Noes: (5) Senators Jauch, Lehman and Kreitlow;
Representatives Black and Nelson.

INTRODUCTION NOT RECOMMENDED, Ayes 5, Noes 5



Jeffrey Grothman
Committee Clerk



Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

DWD 56 Emergency Rule Extension

Department Requesting a 60-Day Rule Extension Relating to Child Care Rates.

August 7, 2007

PUBLIC HEARING HELD

- Present: (9) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske and Nelson.
- Absent: (1) Representative Black.

Appearances For

- Janel Hines — DWD

Appearances Against

- Regina Rhyne, Madison — Day Care Providers
- Kelly Gomez — Peek-a-Boo Day Care
- Ed Ramthun, Indianapolis — AFSCME
- Laura Klingelhoets — Stepping Stones
- Genniene Lovelace-Michel — The Kids House Too
- Kim Casdon — Red Caboose Day Care Center
- Wendy Ranower — Red Caboose Day Care Center
- Omavic McMurray — AFSCME
- Christie Howell-Yrios — Animal Crackers

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- Susanne Hoesler — CCPT/ AFSCME

Registrations for Information Only

- Dave Edie — Wisconsin Early Learning Coalition

August 7, 2007

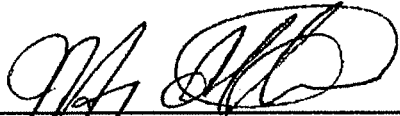
EXECUTIVE SESSION HELD

Present: (9) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske and Nelson.
Absent: (1) Representative Black.

Moved by Senator Jauch, seconded by Representative LeMahieu that **DWD 56 Emergency Rule Extension** be recommended for a 60- Day Emergency Rule Extension Relating to Child Care Rates.

Ayes: (9) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske and Black*.
Noes: (1) Representative Nelson.

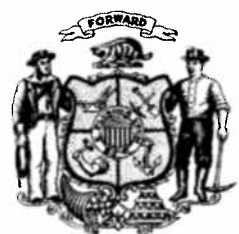
Motion Passed 9-1
*Voted by Polling



Jeffrey Grothman
Committee Clerk



WISCONSIN STATE LEGISLATURE



Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

LRB 1190/1

Relating to: Reporting of Certain information concerning individual contributions received on campaign finance reports. (Previous session Clearing House Rule 06-061)

January 17, 2007

PUBLIC HEARING HELD

Present: (9) Senators Jauch, Lehman, Kreitlow and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Nelson.

Absent: (1) Senator Grothman.

Appearances For

- None.

Appearances Against

- None.

Appearances for Information Only

- Molly Koranda — State Elections Board

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

January 17, 2007

EXECUTIVE SESSION HELD

Present: (10) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Nelson.

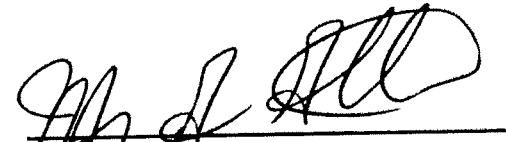
Absent: (0) None.

Moved by Representative LeMahieu, seconded by Senator Kreitlow that **LRB 1190/1** be recommended for Introduction.

Ayes: (10) Senators Jauch, Lehman, Kreitlow,
*Grothman and Leibham; Representatives
LeMahieu, Zipperer, Friske, Black and
Nelson.

Noes: (0) None.

INTRODUCTION RECOMMENDED, Ayes 10, Noes 0
*Voted by Polling



Jeffrey Grothman
Committee Clerk



Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

LRB 1191/1

Relating to: reporting of certain information concerning individual contributions received on campaign finance reports.

January 17, 2007 **EXECUTIVE SESSION HELD**

Present: (0) None.

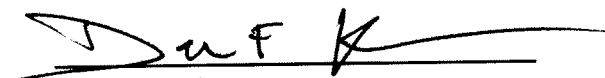
Absent: (0) None.

Moved by Representative LeMahieu, seconded by Senator Kreitlow that **LRB 1191/1** be recommended for introduction.

Ayes: (10) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Nelson.

Noes: (0) None.

INTRODUCTION RECOMMENDED, Ayes 10, Noes 0



Dan Kanninen
Committee Clerk



Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

OCI Emergency Rule Sections INS 9.25(8) & 9.27(4)

OCI Requesting rule extension to rule relating to preferred provider plan applicability dates and affecting small business.

January 17, 2007 **PUBLIC HEARING HELD**

Present: (9) Senators Jauch, Lehman, Kreitlow and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Nelson.

Absent: (1) Senator Grothman.

Appearances For

- Julie Walsh — OCI

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

January 17, 2007 **EXECUTIVE SESSION HELD**

Present: (10) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Nelson.

Absent: (0) None.

Moved by Senator Jauch, seconded by Representative Black that **OCI Emergency Rule Sections INS 9.25(8) & 9.27(4)** be recommended for 60 day rule extension.

Ayes: (10) Senators Jauch, Lehman, Kreitlow,
*Grothman and Leibham; Representatives
LeMahieu, Zipperer, Friske, Black and
Nelson.

Noes: (0) None.

ADOPTION RECOMMENDED, Ayes 10, Noes 0
Motion Recommended
*Voted by Polling

March 22, 2007

PUBLIC HEARING HELD

Present: (7) Senators Jauch, Lehman, Kreitlow, Grothman
and Leibham; Representatives LeMahieu and
Zipperer.

Absent: (3) Representatives Friske, Black and Nelson.

Appearances For

- Dan Schwartzer — WI PPO Assoc
- Jim Guidry — OCI
- Juile Walsh — OCI

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

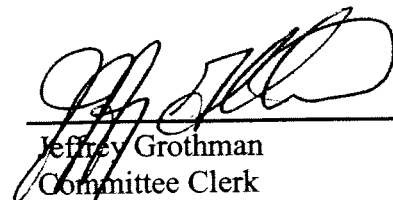
- None.

Registrations Against

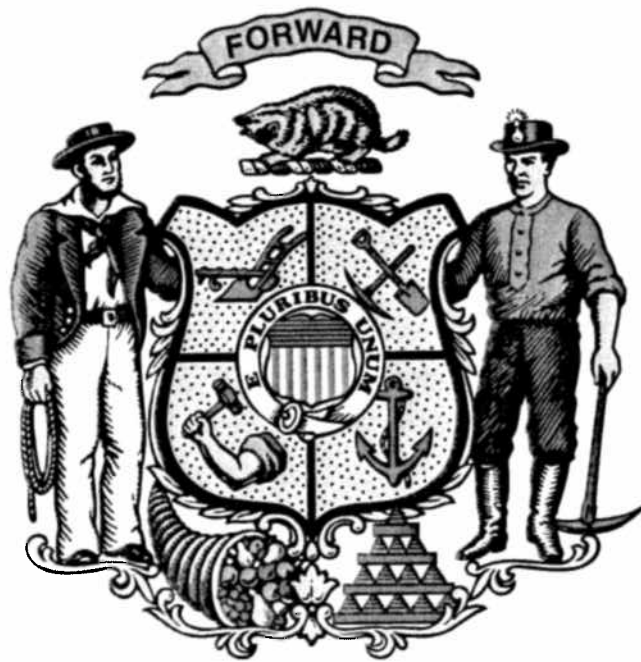
- None.

Registrations for Information Only

- None.



Jeffrey Grothman
Committee Clerk



Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

Emergency Rule of the Optometry Examining Board Creating Opt. 8: Relating to Continuing Education.

March 22, 2007

PUBLIC HEARING HELD

Present: (7) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu and Zipperer.

Absent: (3) Representatives Friske, Black and Nelson.

Appearances For

- Jeff Scanlan — DRL

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

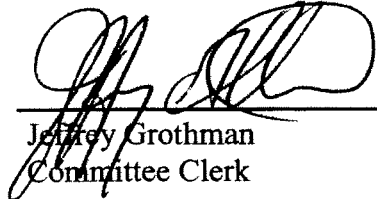
- None.

Registrations Against

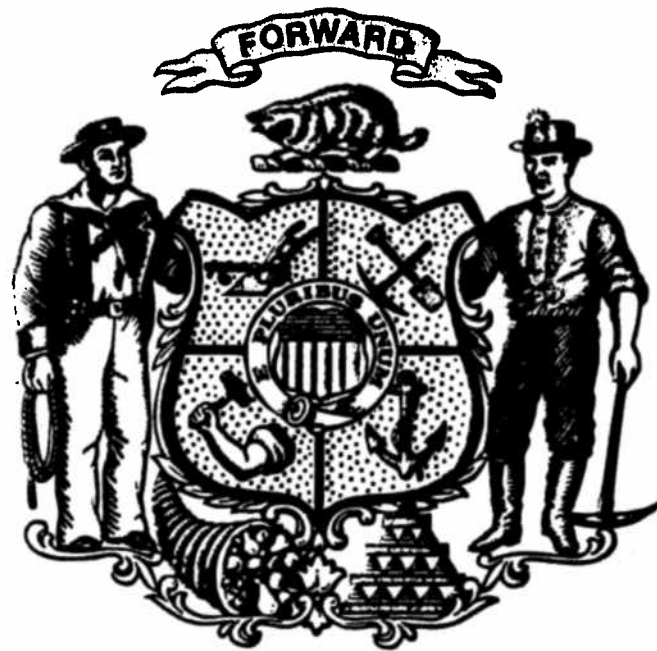
- None.

Registrations for Information Only

- None.



Jeffrey Grothman
Committee Clerk



Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

DOR Emergency Rule Extension - Tax 2.505

To provide for additional time necessary to promulgate a permanent rule, request for a 60-day extension under 227.24(2)(a), Stats., of the emergency rule updating Tax 2.505, relating to the computation of the apportionment fraction by multistate professional sports clubs. This emergency rule expires March 10, 2008.

March 5, 2008

PUBLIC HEARING HELD

Present: (10) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Berceau.

Absent: (0) None.

Appearances For

- None.

Appearances Against

- None.

Appearances for Information Only

- Julie Raes, Madison — Department of Revenue

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

March 5, 2008

EXECUTIVE SESSION HELD

Present: (10) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Berceau.

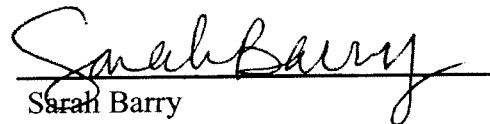
Absent: (0) None.

Moved by Senator Lehman, seconded by Representative LeMahieu that **DOR Emergency Rule Extension - Tax 2.505** be recommended for adoption.

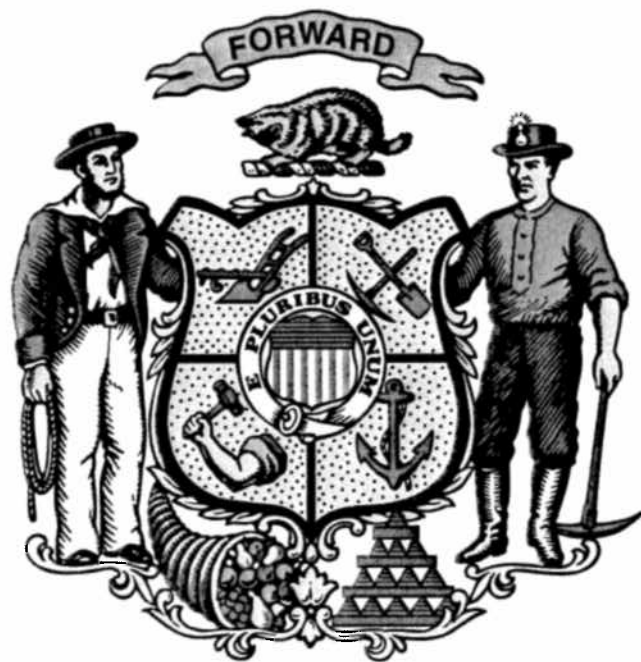
Ayes: (10) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Berceau.

Noes: (0) None.

ADOPTION RECOMMENDED, Ayes 10, Noes 0

A handwritten signature in cursive script, reading "Sarah Barry", written over a horizontal line.

Sarah Barry
Committee Clerk



Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

PI 33 Emergency Extension Request

Relating to grants for nursing services. Department requests a 60-day rule extension.

April 17, 2008

PUBLIC HEARING HELD

Present: (6) Senators Jauch, Grothman and Leibham;
Representatives LeMahieu, Black and Berceau.
Absent: (4) Senators Lehman and Kreitlow;
Representatives Zipperer and Friske.

Appearances For

- Jennifer Kammerud — DPI

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Jack O'Meara — Wisconsin Association of School Nurses

Registrations Against

- None.

Registrations for Information Only

- None.

April 17, 2008

EXECUTIVE SESSION HELD

Present: (6) Senators Jauch, Grothman and Leibham;
Representatives LeMahieu, Black and Berceau.
Absent: (4) Senators Lehman and Kreitlow;
Representatives Zipperer and Friske.

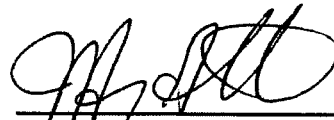
Moved by Representative Black, seconded by Representative Berceau that **PI 33 Emergency Extension Request** be recommended for 60-day Rule Extension.

Ayes: (10) Senators Jauch, Lehman*, Kreitlow*, Grothman and Leibham; Representatives LeMahieu, Zipperer*, Friske*, Black and Berceau.

Noes: (0) None.

Motion Passed 10-0

*Voted by Polling



Jeffrey Grothman
Committee Clerk



Ayes: (10) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Berceau.
Noes: (0) None.

December 9, 2008 **PUBLIC HEARING HELD**

Present: (0) None.
Polled: (10) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Berceau.

Due to travel safety issues for both committee members as well as the public, JCRAR is canceling the meeting due to the potential snow storm. 2 Hours from publication of this notice, JCRAR will poll members of the committee so that Executive Action may be taken on this Extension Request.

Appearances For

- None.

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

December 9, 2008 **EXECUTIVE SESSION HELD**

Present: (0) None.
Polled: (10) Senators Jauch, Lehman, Kreitlow, Grothman and Leibham; Representatives LeMahieu, Zipperer, Friske, Black and Berceau.

Due to travel safety issues for both committee members as well as the public, JCRAR is canceling the meeting due to the potential snow storm. 2 Hours from publication of this notice, JCRAR will poll members of the committee so that Executive Action may be taken on this Extension Request.

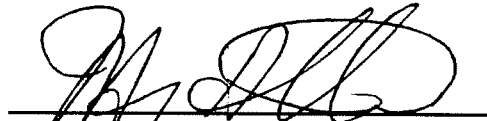
Moved by Representative LeMahieu, seconded by Senator Jauch that **PI 37 Emergency Extension Request** be recommended for a 50-day rule extension.

Ayes: (10) Senators Jauch*, Lehman*, Kreitlow*, Grothman* and Leibham*; Representatives LeMahieu*, Zipperer*, Friske*, Black* and Berceau*.

Noes: (0) None.

Motion Passed 10-0

*Voted by Polling



Jeffrey Grothman
Committee Clerk