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Details: Records of Committee Proceedings.
(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2009-10

(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**

* Contents organized for archiving by: Stefanie Rose (LRB) (June 2012)

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

DHS 119 AED Training

Relating to requiring emergency medical technicians, first responders, and their instructors to complete training on the use of automated external defibrillators, and to specify the content of the training, qualifications of providers, and frequency in which training is to be completed.

January 6, 2009

EXECUTIVE SESSION HELD

Present: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

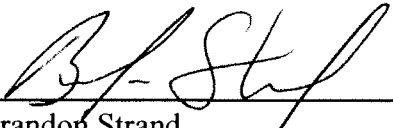
Absent: (0) None.

Moved by Representative Hebl, seconded by Senator Lehman that **DHS 119 AED Training** be recommended for adoption.

Ayes: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Noes: (0) None.

ADOPTION RECOMMENDED, Ayes 10, Noes 0



Brandon Strand
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

RL 161.04 Substance Abuse Professionals

Relating to current rules requiring an applicant for a clinical substance abuse counselor credential to pass an oral examination.

January 6, 2009

EXECUTIVE SESSION HELD

Present: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

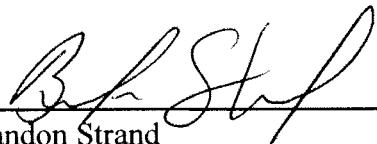
Absent: (0) None.

Moved by Representative Hebl, seconded by Senator Lehman that **RL 161.04 Substance Abuse Professionals** be recommended for adoption.

Ayes: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Noes: (0) None.

ADOPTION RECOMMENDED, Ayes 10, Noes 0



Brandon Strand
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

NR 198 Invasive Species Grants

Relating to grants for the control of aquatic invasive species.

January 6, 2009

EXECUTIVE SESSION HELD

Present: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

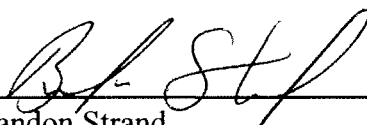
Absent: (0) None.

Moved by Representative Hebl, seconded by Senator Lehman that **NR 198 Invasive Species Grants** be recommended for adoption.

Ayes: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Noes: (0) None.

ADOPTION RECOMMENDED, Ayes 10, Noes 0



Brandon Strand
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

DOC 560.02 - Emergency Rule Extension

Community Development Block Grants funds for emergency assistance with repairing or replacing public infrastructure and facilities, and with repairing or replacing homes damaged by the severe storms and flooding.

February 3, 2009 **EXECUTIVE SESSION HELD**

Present: (9) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl and LeMahieu.

Absent: (1) Representative Gunderson.

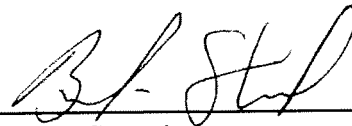
Moved by Representative Hubler, seconded by Representative Hebl that **DOC 560.02 - Emergency Rule Extension** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Department of Commerce, relating to emergency assistance grants (EmR0823), for a period of 60 days through April 11, 2009..

Ayes: (9) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl and LeMahieu.

Noes: (0) None.

Absent: (1) Representative Gunderson.

THAT THE JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2), STATS., EXTEND THE EFFECTIVE PERIOD OF AN EMERGENCY RULE OF THE DEPARTMENT OF COMMERCE, RELATING TO EMERGENCY ASSISTANCE GRANTS (EMR0823), FOR A PERIOD OF 60 DAYS THROUGH APRIL 11, 2009. RECOMMENDED, Ayes 9, Noes 0



Brandon Strand
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

DOC 560.02 - Emergency Rule Extension

Community Development Block Grants funds for emergency assistance with repairing or replacing public infrastructure and facilities, and with repairing or replacing homes damaged by the severe storms and flooding.

February 3, 2009

EXECUTIVE SESSION HELD

Present: (9) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl and LeMahieu.

Absent: (1) Representative Gunderson.

Moved by Representative Hubler, seconded by Representative Hebl that **DOC 560.02 - Emergency Rule Extension** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Department of Commerce, relating to emergency assistance grants (EmR0823), for a period of 60 days through April 11, 2009..

Ayes: (9) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl and LeMahieu.

Noes: (0) None.

Absent: (1) Representative Gunderson.

THAT THE JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2), STATS., EXTEND THE EFFECTIVE PERIOD OF AN EMERGENCY RULE OF THE DEPARTMENT OF COMMERCE, RELATING TO EMERGENCY ASSISTANCE GRANTS (EMR0823), FOR A PERIOD OF 60 DAYS THROUGH APRIL 11, 2009. RECOMMENDED, Ayes 9, Noes 0

Brandon Strand
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

Comm - Registration of Building Contractors

60-day extension of the emergency rule under s.227.24 (2), Stats.

July 22, 2009

PUBLIC HEARING HELD

Present: (8) Senators Holperin, Lehman, Risser and Grothman; Representatives Zepnick, Hubler, Hebl and Gunderson.

Absent: (2) Senator Cowles; Representative LeMahieu.

Appearances For

- Zach Brandon, Madison — Department of Commerce
- Mark Reihl, Madison — Wisconsin State Council of Carpenters

Appearances Against

- Brad Boycks, Madison — Wisconsin Builders Association

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- Ann Gryphan, Madison — Wisconsin Onsite Water Recycling Association

Registrations for Information Only

- None.

July 22, 2009

EXECUTIVE SESSION HELD

Present: (8) Senators Holperin, Lehman, Risser and Grothman; Representatives Zepnick, Hubler, Hebl and Gunderson.

Absent: (2) Senator Cowles; Representative LeMahieu.

Moved by Representative Hebl, seconded by Representative Hubler that **Comm - Registration of Building Contractors** be

recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Department of Commerce, relating to building contractor registration (EmR0904), for a period of 60 days through September 27, 2009..

Ayes: (8) Senators Holperin, Lehman, Risser and Grothman; Representatives Zepnick, Hubler, Hebl and Gunderson.

Noes: (2) Senator Cowles; Representative LeMahieu.

THAT THE JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2), STATS., EXTEND THE EFFECTIVE PERIOD OF AN EMERGENCY RULE OF THE DEPARTMENT OF COMMERCE, RELATING TO BUILDING CONTRACTOR REGISTRATION (EMR0904), FOR A PERIOD OF 60 DAYS THROUGH SEPTEMBER 27, 2009. RECOMMENDED, Ayes 8, Noes 2

Brandon Strand
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

DNR WT-22-09 (EmR0915)

60 Day Emergency Rule Extension relating to grants for dam maintenance, repair, modification, or abandonment and removal.

January 21, 2010 **PUBLIC HEARING HELD**

Present: (8) Senators Holperin, Grothman and Cowles;
 Representatives Zepnick, Hubler, Hebl,
 LeMahieu and Gunderson.
Absent: (2) Senators Lehman and Risser.

Appearances For

- Meg Galloway, Madison — Department of Natural Resources
- Michael Scott, Madison — Department of Natural Resources

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

January 21, 2010 **EXECUTIVE SESSION HELD**

Present: (8) Senators Holperin, Grothman and Cowles;
 Representatives Zepnick, Hubler, Hebl,
 LeMahieu and Gunderson.
Absent: (2) Senators Lehman and Risser.

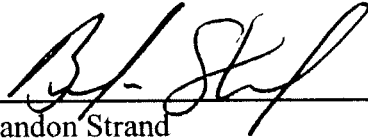
Moved by Representative Hubler, seconded by Representative Hebl that **DNR WT-22-09 (EmR0915)** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant

to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Department of Natural Resources, relating to grants for dam maintenance, repair, modification, or abandonment and removal (EmR0915), for a period of 60 days through March 25, 2010..

Ayes: (10) Senators Holperin, Lehman, Risser,
Grothman and Cowles; Representatives
Zepnick, Hubler, Hebl, LeMahieu and
Gunderson.

Noes: (0) None.

THAT THE JOINT COMMITTEE FOR REVIEW OF
ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2),
STATS., EXTEND THE EFFECTIVE PERIOD OF AN
EMERGENCY RULE OF THE DEPARTMENT OF NATURAL
RESOURCES, RELATING TO GRANTS FOR DAM
MAINTENANCE, REPAIR, MODIFICATION, OR
ABANDONMENT AND REMOVAL (EMR0915), FOR A
PERIOD OF 60 DAYS THROUGH MARCH 25, 2010.
RECOMMENDED, Ayes 10, Noes 0



Brandon Strand
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

PSC 172 - 2009 Wisconsin Act 28

60 Day Emergency Rule Extension relating to the police and fire protection fee created under 2009 Wisconsin Act 28.

January 21, 2010 **PUBLIC HEARING HELD**

- Present: (8) Senators Holperin, Grothman and Cowles;
 Representatives Zepnick, Hubler, Hebl,
 LeMahieu and Gunderson.
- Absent: (2) Senators Lehman and Risser.

Appearances For

- Gary Evenson, Madison — Public Service Commission

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

January 21, 2010 **EXECUTIVE SESSION HELD**

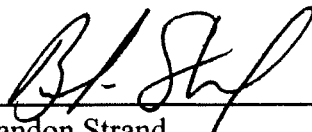
- Present: (8) Senators Holperin, Grothman and Cowles;
 Representatives Zepnick, Hubler, Hebl,
 LeMahieu and Gunderson.
- Absent: (2) Senators Lehman and Risser.

Moved by Representative Hubler, seconded by Representative Hebl that **PSC 172 - 2009 Wisconsin Act 28** be recommended for That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an

emergency rule of the Public Service Commission, relating to the police and fire protection fee (EmR0919), for a period of 60 days through April 8, 2010..

- Ayes: (6) Senators Holperin, Lehman and Risser;
Representatives Zepnick, Hubler and Hebl.
Noes: (4) Senators Grothman and Cowles;
Representatives LeMahieu and Gunderson.

THAT THE JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES, PURSUANT TO S. 227.24 (2), STATS., EXTEND THE EFFECTIVE PERIOD OF AN EMERGENCY RULE OF THE PUBLIC SERVICE COMMISSION, RELATING TO THE POLICE AND FIRE PROTECTION FEE (EMR0919), FOR A PERIOD OF 60 DAYS THROUGH APRIL 8, 2010. RECOMMENDED, Ayes 6, Noes 4



Brandon Strand
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

DOR Emergency Rule Extension Chapter Tax 11

60- day extension rule request relating to sales and use tax and the streamlined sales tax laws passed in 2009 Act 2.

February 24, 2010 PUBLIC HEARING HELD

Present: (9) Senators Holperin, Lehman, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Absent: (1) Senator Risser.

Appearances For

- Sherrie Gates-Hendrix

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

February 24, 2010 EXECUTIVE SESSION HELD

Present: (9) Senators Holperin, Lehman, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Absent: (1) Senator Risser.

Moved by Representative Hubler, seconded by Representative Hebl that **That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Department of**

Revenue, relating to sales and use tax (EmR0924), for a period of 60 days through April 28, 2010. be recommended for adoption.

Ayes: (9) Senators Holperin, Lehman, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.
Noes: (0) None.
Absent: (1) Senator Risser.

ADOPTION RECOMMENDED, Ayes 9, Noes 0

Ryan Schroeder
Committee Clerk

Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Wisconsin State Public Defender, relating to the maximum fees that the state public defender may pay for copies of materials in various proceedings (EmR0926), for a period of 60 days through April 30, 2010. be recommended for adoption.

Ayes: (8) Senators Holperin, Lehman and Cowles;
Representatives Zepnick, Hubler, Hebl,
LeMahieu and Gunderson.

Noes: (1) Senator Grothman.

Absent: (1) Senator Risser.

ADOPTION RECOMMENDED, Ayes 8, Noes 1

Ryan Schroeder
Committee Clerk

Commissioner of Insurance, relating to care management organizations (EmR0927), for a period of 60 days through May 9, 2010. be recommended for adoption.

Ayes: (9) Senators Holperin, Lehman, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Noes: (0) None.

Absent: (1) Senator Risser.

ADOPTION RECOMMENDED, Ayes 9, Noes 0

Ryan Schroeder
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

DCF- 56 AND 58 Foster Care and Kinship Care (Second Request)

60 day rule extension request relating to foster care and kinship care. The emergency rule creates the first two levels of the new levels of care system for foster care that incorporates newly-licensed court ordered kinship care relatives into the foster care program.

July 27, 2010

PUBLIC HEARING HELD

Present: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Absent: (0) None.

Appearances For

- Elaine Pridgen — DCF
- Janelle Brom — DCF

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

July 27, 2010

EXECUTIVE SESSION HELD

Present: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Absent: (0) None.

Moved by Representative Hebl, seconded by Representative Hubler that **That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Department of Children and Families, relating to foster care and kinship care (EmR0937), for a period of 60 days through September 27, 2010.** be recommended for adoption.

Ayes: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Noes: (0) None.

ADOPTION RECOMMENDED, Ayes 10, Noes 0

Ryan Schroeder
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

Office of The Commissioner of Insurance Rule Section Ins. 3.36 Wis. Adm. Code (Second Request)

60 - day extension relating to autism spectrum disorders treatment and affecting small business.

July 27, 2010

PUBLIC HEARING HELD

Present: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Absent: (0) None.

Appearances For

- Eileen Mallow — OCI

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

July 27, 2010

EXECUTIVE SESSION HELD

Present: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Absent: (0) None.

Moved by Senator Grothman, seconded by Representative Hubler that **That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective**

period of an emergency rule of the Office of the Commissioner of Insurance, relating to autism spectrum disorders (EmR1005), for a period of 60 through October 3, 2010. be recommended for adoption.

Ayes: (8) Senators Holperin, Lehman, Risser,
Grothman and Cowles; Representatives
Zepnick, Hubler and Hebl.

Noes: (2) Representatives LeMahieu and Gunderson.

ADOPTION RECOMMENDED, Ayes 8, Noes 2

Ryan Schroeder
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

Earned Release Review Commission 60- day Emergency Rule Extension (Second Request)

Relating to Procedures for Considering Inmate Petitions for Release under PAC 1, EmR0940

July 27, 2010

PUBLIC HEARING HELD

Present: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Absent: (0) None.

Appearances For

- Kathryn Anderson — Earned Release Review Commission

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

July 27, 2010

EXECUTIVE SESSION HELD

Present: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Absent: (0) None.

Moved by Representative Hubler, seconded by Representative Hebl that **That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend**

the effective period of an emergency rule of the Earned Release Review Commission, relating to the release of inmates through parole or other procedures (EmR0940), for a period of 60 days through September 26, 2010. be recommended for adoption.

Ayes: (7) Senators Holperin, Lehman, Risser and Cowles; Representatives Zepnick, Hubler and Hebl.

Noes: (3) Senator Grothman; Representatives LeMahieu and Gunderson.

ADOPTION RECOMMENDED, Ayes 7, Noes 3

Ryan Schroeder
Committee Clerk

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

DOC 60-day Emergency Rule Extension (Second Request)

Sentence calculations and prison release under DOC 302 and 2009 Wisconsin Act 28 EmR0939

July 27, 2010

PUBLIC HEARING HELD

Present: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Absent: (0) None.

Appearances For

- Kathryn Anderson — DOC

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

July 27, 2010

EXECUTIVE SESSION HELD

Present: (10) Senators Holperin, Lehman, Risser, Grothman and Cowles; Representatives Zepnick, Hubler, Hebl, LeMahieu and Gunderson.

Absent: (0) None.

Moved by Representative Hubler, seconded by Representative Hebl that **That the Joint Committee for Review of Administrative Rules, pursuant to s. 227.24 (2), Stats., extend the effective period of an emergency rule of the Department of**

Corrections, relating to sentence calculations and prison release and to administrative review of inmate classification decisions (EmR0939), for a period of 60 days through September 26, 2010. be recommended for adoption.

Ayes: (7) Senators Holperin, Lehman, Risser and Cowles; Representatives Zepnick, Hubler and Hebl.
Noes: (3) Senator Grothman; Representatives LeMahieu and Gunderson.

ADOPTION RECOMMENDED, Ayes 7, Noes 3

Ryan Schroeder
Committee Clerk