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**WISCONSIN LEGISLATIVE COUNCIL STAFF**

**1997 ANNUAL REPORT ON THE  
LEGISLATIVE COUNCIL RULES CLEARINGHOUSE\***

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**CONTENTS**

	<u>Page</u>
<b><u>Part I:</u></b> Function of the Legislative Council Rules Clearinghouse .....	3
<b><u>Part II:</u></b> 1997 Activities of the Rules Clearinghouse .....	7
<b><u>Appendix 1:</u></b> Sample Clearinghouse Report .....	15
<b><u>Appendix 2:</u></b> Processing Instructions to Agency Heads .....	23

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\* This Report was prepared by Ronald Sklansky, Director, and Richard Sweet, Assistant Director, Rules Clearinghouse, Legislative Council Staff.



**PART I**  
**FUNCTION OF THE LEGISLATIVE COUNCIL**  
**RULES CLEARINGHOUSE**

**A. REVIEW OF RULES**

Legislative review of proposed administrative rules begins with the submission of a rule to the Legislative Council Rules Clearinghouse. Section 227.15, Stats., requires that, prior to any public hearing on a proposed rule or prior to notification of the presiding officer of each house of the Legislature if no hearing is held, an agency must submit the proposed rule to the Legislative Council Rules Clearinghouse for review by the Legislative Council Staff. (See the *Administrative Rules Procedures Manual* (October 1994), prepared by the Legislative Council Staff and the Revisor of Statutes Bureau, for more information on drafting, promulgating and reviewing administrative rules.)

The Legislative Council Staff is provided 20 working days, following receipt of a proposed rule, within which to prepare a report on its review of the rule. However, with the consent of the Director of the Legislative Council Staff, the review period may be extended for an additional 20 working days.

Upon receipt of a proposed administrative rule, the Legislative Council Staff assigns the rule a Clearinghouse rule number, records the submission of the rule in the *Bulletin of Proceedings* of the Wisconsin Legislature and prepares two numbered rule jackets, one for the Assembly and one for the Senate.

The Director of the Rules Clearinghouse assigns the rule to a Legislative Council Staff attorney or analyst for review and preparation of the statutorily required report. The staff member generally prepares the report within 10 working days and transmits the report to the Director or Assistant Director for final review. When the report on the proposed rule is completed, the staff returns to the agency the rule, the rule jackets and the Clearinghouse report containing the results of the review. [See *Appendix 1* for a sample Clearinghouse report.]

In accordance with s. 227.15, Stats., the Clearinghouse report is structured to:

1. Review the statutory authority under which the agency intends to adopt the rule.
2. Review the proposed rule for form, style and placement in the Wisconsin Administrative Code.
3. Review the proposed rule to avoid conflict with, or duplication of, existing rules.
4. Review the proposed rule to ensure that it provides adequate references to related statutes, rules and forms.

5. Review the language of the proposed rule for clarity, grammar and punctuation and to ensure the use of plain language.

6. Review the proposed rule to determine potential conflicts and to make comparisons with related federal regulations.

7. Review the proposed rule to determine whether the agency has specified the number of business days within which the agency will review and make a determination on an application for a business permit.

As part of this review process, the Legislative Council Staff is directed to ensure that procedures for the promulgation of the rule are followed, as required by ch. 227, Stats., and to streamline and simplify the rule-making process.

## **B. OTHER RELATED RESPONSIBILITIES**

Other primary rule review responsibilities of the Legislative Council Staff include the following:

1. Working with and assisting the appropriate legislative committees throughout the rule-making process.

2. Notifying the Joint Committee for Review of Administrative Rules (JCRAR) and appropriate committees of the Legislature whenever the rule-making authority of an agency is eliminated or significantly changed by the repeal, amendment or creation of a statute, by the interpretive decision of a court of competent jurisdiction or for any other reason.

3. Assisting the public in resolving problems related to administrative rules. This function includes providing information, identifying agency personnel who may be contacted in relation to rule-making functions, describing locations where copies of rules, proposed rules and forms are available and encouraging and assisting participation in the rule-making process.

The final responsibility of the Legislative Council Staff is the submission of an annual report to the chief clerk of each house of the Legislature and to the Governor summarizing any action taken by the staff and making recommendations to streamline the rule-making process and eliminate obsolete, duplicative and conflicting rules. This document is the 18th *Annual Report* submitted by the Legislative Council Staff and covers the staff's activities during calendar year 1997. This report has been preceded by an initial report to the 1979 Legislature, which covered the staff's activities from November 2, 1979 to April 1, 1980 (i.e., from the effective date of Ch. 34, Laws of 1979, which initiated the omnibus rule review process, to the end of Floorperiod IV of the 1979 Session) and annual reports for calendar years 1980 to 1996.

### **C. RECORDKEEPING SYSTEM**

The Legislature's *Bulletin of Proceedings* is used for recording actions relating to the review of administrative rules. The Legislative Council Staff, the Senate and Assembly Chief Clerks and the Legislative Reference Bureau cooperate in a computerized recordkeeping system. Commencing with the 1979 Session, action on administrative rules has been shown in a separate part of the *Bulletin of Proceedings*.

Under this system, each proposed rule is assigned a number and entered in the computer by the Legislative Council Staff. A copy of the Clearinghouse report is placed in a Senate and Assembly rule jacket (similar to bill jackets) and the rule is then transmitted to the agency promulgating the rule for its review. After transmittal, all legislative actions taken on the rule are entered on the face of the jacket and are reported to the chief clerks of each house. The chief clerks enter the actions in the computerized system, thereby compiling a history of all legislative actions taken on a rule.

At the beginning of each biennial session, the administrative rule portion of the *Bulletin of Proceedings* is updated by deletion of all records relating to rules which, in the preceding session, have become effective, have been withdrawn or have been permanently objected to by law. Also removed from the *Bulletin of Proceedings* annually and withdrawn from the rule-making process is any proposed rule that, in accordance with s. 227.14 (6) (c), Stats., has been pending for at least four years, but no more than five years, after the date of its receipt by Legislative Council Staff under s. 227.15 (1), Stats. The final *Bulletin of Proceedings* printed for the preceding session then serves as the permanent record of the disposition of those rules. The remaining rules, which are still in the promulgation process, are carried over into the new *Bulletin of Proceedings* for the following biennial session.

The Legislative Council Staff cooperates with a private reporting service that reports on recent actions taken on all proposed administrative rules moving through the legislative review process.



**PART II**

**1997 ACTIVITIES OF THE RULES CLEARINGHOUSE**

**A. LEGISLATIVE COUNCIL STAFF REVIEW OF PROPOSED ADMINISTRATIVE RULES**

During 1997, 158 proposed administrative rules were submitted to the Legislative Council Staff by 24 state agencies. One proposed rule did not require a report, since the substance of the rule-making order was originally part of a proposed order previously reviewed by the Clearinghouse. Consequently, 157 submittals were subject to the Clearinghouse report requirement.

As of December 31, 1997, Legislative Council Staff reports had been completed on 147 of the 157 proposed rules and 10 rules were in the process of review. In addition to the 147 rule reports completed on 1997 rules, reports were prepared in 1997 on 12 rules received in late 1996. Of the 159 reports completed in 1996, no rule required an extension of the review process by the Director of the Legislative Council Staff. Clearinghouse activities in 1997 are summarized below:

Rules Received in 1997		158
Withdrawn	0	
No report required	1	
Pending	10	
		-11
1997 Reports Completed		147
1996 Reports Completed in January 1997		+12
<b>Total Reports in 1997</b>		<b>159</b>

The table below shows that, from November 2, 1979 (the beginning of the omnibus rule review process) through December 31, 1997, the Clearinghouse has received 4,121 rule submissions and completed reviews on 4,032 proposed rules. Of the total rule submissions, 79 were exempt from the reporting process for various reasons and 10 were under review at the end of 1997.

<i>Year</i>	<i>Received</i>	<i>Completed</i>	<i>Exempt</i>
1979	70	45	12
1980	252	227	24
1981	252	234	9
1982	251	254	3
1983	222	220	4
1984	255	247	2
1985	213	206	4
1986	251	252	4
1987	182	186	1
1988	219	216	5
1989	212	208	1
1990	264	254	3
1991	199	205	2
1992	225	228	0
1993	241	232	1
1994	225	234	0
1995	236	224	2
1996	194	201	1
1997	158	159	1
<b>Total</b>	<b>4,121</b>	<b>4,032</b>	<b>79</b>

In 1997, rules were received from the following 24 state agencies:

*Number of Proposed Rules, by Submitting Agency*

Department of Administration	2
Department of Agriculture, Trade and Consumer Protection	7
Department of Commerce	11
Department of Corrections	12
Department of Employee Trust Funds	5
Department of Employment Relations	2
Department of Financial Institutions	6
Department of Health and Family Services	13
Department of Natural Resources	31
Department of Public Instruction	1
Department of Regulation and Licensing	16
Department of Revenue	12
Department of Tourism	1
Department of Transportation	14
Department of Veterans Affairs	1
Department of Workforce Development	5
Educational Approval Board	1
Higher Education Aids Board	1
Investment Board	1
Office of the Commissioner of Insurance	6
Office of the Commissioner of Railroads	2
Public Service Commission	3
State Public Defender	4
University of Wisconsin System	1
<b>Total</b>	<b>158</b>

Although the statistics presented in this report give some indication of the work load of the Legislative Council Staff in reviewing proposed administrative rules, it should be noted that some proposed rules are only a few sentences long while others exceed 50 pages in length. Similarly, Legislative Council Staff reports vary from completion of a simple checklist to reports of multiple pages. In summary, for all rule reports completed in 1997:

1. The Legislative Council Staff commented on the *statutory authority* of a proposed administrative rule on 31 occasions.

2. The Legislative Council Staff commented on the *form, style and placement* of proposed administrative rules in the Wisconsin Administrative Code on 119 occasions.

3. The Legislative Council Staff commented on a *conflict* with, or *duplication* of, existing rules on five occasions.

4. The Legislative Council Staff commented on the *adequacy of references* of proposed administrative rules to related statutes, rules and forms on 57 occasions.

5. The Legislative Council Staff commented on *clarity, grammar, punctuation and use of plain language* in proposed administrative rules on 110 occasions.

6. The Legislative Council Staff commented on the *potential conflicts* of proposed administrative rules with, and their comparability to, related federal regulations on five occasions. In addition, the Legislative Council Staff has adopted a policy of noting when proposed rules are based on federal “*guidelines*,” which do not have the force of law, as opposed to rules based on federal “*regulations*,” which do have the force of law and with which the state may have a legal obligation to comply.

7. The Legislative Council Staff did not comment on the *permit action deadline requirement*.

## **B. WORKING WITH AND ASSISTING COMMITTEES**

Each standing committee of the Legislature, other than the Joint Committee on Finance, has a Legislative Council Staff attorney or analyst regularly assigned to it. At the time that a committee has a proposed rule referred to it by the presiding officer of the house, the assigned attorney or analyst will participate in whatever level of oversight is chosen to be exercised by the committee.

During 1997, legislative committees held hearings or requested meetings on **34 proposed rules**. Modifications to rules were either requested or received in the legislative review of **19 proposed rules**. **Six proposed rules** were objected to by a committee.

As a result of committee activities, **six rule objections** were subject to JCRAR jurisdiction in 1996. The JCRAR nonconcurred in the six objections.

The table below reviews legislative committee activity in the review of proposed administrative rules beginning on November 2, 1979 and ending on December 31, 1997.

LEGISLATIVE REVIEW OF PROPOSED ADMINISTRATIVE RULES (November 2, 1979 Through December 31, 1997)*						
Year	Rules Submitted	Rules Subject to Modification	Committee Review Objections	JCRAR Rule Objections	Enacted Laws Following Rule Objections	Enactments by Session Law and Other Description of Bills Introduced Following Rule Objections
11/2/79-80	322	18	5	1	0	No bill introduced, rule withdrawn
1981	252	29	10	4	4	Chapters 20 (SEC. 1561), 26, 31 and 180, Laws of 1981
1982	251	31	4	1	1	1983 Wisconsin Act 94
1983	222	30	5	0	0	--
1984	255	26	2	2	2	1983 Wisconsin Act 310 and 1985 Wisconsin Act 29 (SEC. 826)
1985	213	37	8	3	2	◆1985 Wisconsin Act 29 (SECS. 1059r and 2238ng to 2238or) ◆1985 Assembly Bill 460, passed and vetoed; override failed
1986	251	30	1	0	0	--
1987	182	30	5	0	0	--
1988	219	38	4	0	0	--
1989	212	22	6	2	0	◆1989 Senate Bill 89 and 1989 Assembly Bill 171 (failed to pass) ◆1989 Senate Bill 248 and 1989 Assembly Bill 457 (failed to pass)
1990	264	29	2	1	0	◆1991 Senate Bill 24 and 1991 Assembly Bill 71 (failed to pass)
1991	199	19	5	1	0	◆1991 Senate Bill 442 and 1991 Assembly Bill 840 (failed to pass after rule objected to withdrawn by agency)
1992	225	33	3	2	1	◆1993 Wisconsin Act 9 ◆1993 Senate Bill 3 and 1993 Assembly Bill 17 (failed to pass)
1993	241	24	1	0	0	--
1994	225	29	3	0	0	--
1995	236	19	0	0	0	--
1996	194	19	1	1	0	Late introduction in 1995 Session; 1997 Assembly Bill 5 and 1997 Senate Bill 20 pending
1997	158	19	6	0	0	--
<b>TOTAL</b>	<b>4,121</b>	<b>482</b>	<b>71</b>	<b>18</b>	<b>10 (PLUS ONE BILL PASSED AND VETOED; VETO NOT OVERRIDDEN)</b>	

\* The general system of legislative review of proposed administrative rules, primarily embodied in ss. 227.15 and 227.19, Stats., took effect on November 2, 1979, as part of Ch. 34, Laws of 1979.

### **C. NOTICE OF CHANGE IN RULE-MAKING AUTHORITY**

To date, no court decisions or changes in legislation have been brought to the attention of the Legislative Council Staff that would require notification of JCRAR or appropriate standing committees of a change in, or the elimination of, agency rule-making authority.

### **D. ASSISTING ADMINISTRATIVE AGENCIES**

The Legislative Council Staff has responded to numerous questions from agency personnel, relating to both the process and the law governing legislative review of proposed rules.

The Director of the Rules Clearinghouse presented information to the Association of Wisconsin Law Librarians regarding the documentation of an agency's intent when it promulgates a rule. The meeting took place at the Midwinter Convention of the Wisconsin State Bar Association on January 24, 1997 in Milwaukee, Wisconsin. The Director also described the process of rule drafting and legislative review of administrative rules to the Wisconsin Manufacturers and Commerce organization. The presentation took place on August 26, 1997 in Madison, Wisconsin.

### **E. REVISION OF STATUTES DEALING WITH ADMINISTRATIVE RULE-MAKING**

1997 Assembly Bill 254 was introduced on April 9, 1997 by JCRAR to amend the emergency rule-making process. The Bill proposes the following changes in the adoption of emergency rules:

1. In addition to mailing a copy of an emergency rule to each member of the Legislature at the time the rule is filed, an agency must mail a copy to the chief clerk of each house of the Legislature.

2. In order to request an extension of the effective period of an emergency rule, an agency must make the request in writing to JCRAR no later than 30 days before the initial expiration date of the emergency rule. When the written request is submitted, the agency must submit a copy of the written request to the presiding officer of each house of the Legislature and to the appropriate committees of each house of the Legislature, as determined by the presiding officer of each house. The presiding officer must enter a statement in the journal of his or her house that the agency has submitted a request to extend the effective period of the emergency rule. These provisions only apply to an initial extension request with respect to a particular emergency rule.

3. Upon receiving a request for an extension of an emergency rule, JCRAR may not only extend the effective period of an emergency rule, but it may also extend the effective period of part of an emergency rule.

4. Whenever JCRAR extends the effective period of an emergency rule, it must file a statement of its action with the presiding officer of each house of the Legislature and the

appropriate committees of each of the Legislature, as determined by the presiding officer of each house.

On November 18, 1997, 1997 Assembly Bill 254 passed the Assembly on a vote of Ayes, 98; Noes, 0. As of December 31, 1997, the Bill had been referred to the Senate Committee on Economic Development, Housing and Government Operations.

**F. PUBLIC LIAISON**

To date, the Legislative Council Staff has received minimal requests from the public. These infrequent questions have either concerned aspects of the rule review procedure or have related to the status of specific rules.

RS:RNS:kjf;kja



***APPENDIX 1***  
***SAMPLE CLEARINGHOUSE REPORT***



## WISCONSIN LEGISLATIVE COUNCIL STAFF

*RULES CLEARINGHOUSE*

**Ronald Sklansky**  
Director  
(608) 266-1946

**Richard Sweet**  
Assistant Director  
(608) 266-2982



**David J. Stute, Director**  
Legislative Council Staff  
(608) 266-1304

One E. Main St., Ste. 401  
P.O. Box 2536  
Madison, WI 53701-2536  
FAX: (608) 266-3830

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**CLEARINGHOUSE REPORT TO AGENCY**


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[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

**CLEARINGHOUSE RULE 97-135**

AN ORDER to create chapter HFS 173, relating to regulation of tattooists and tattoo establishment and regulation of body piercers and body-piercing establishments.

Submitted by **DEPARTMENT OF HEALTH AND FAMILY SERVICES**

10-27-97 RECEIVED BY LEGISLATIVE COUNCIL.

11-24-97 REPORT SENT TO AGENCY.

RS:AS:kjf;lah

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached      YES       NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached      YES       NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached      YES       NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS  
[s. 227.15 (2) (e)]

Comment Attached      YES       NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached      YES       NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REG-  
ULATIONS [s. 227.15 (2) (g)]

Comment Attached      YES       NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached      YES       NO

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## RULES CLEARINGHOUSE

**Ronald Sklansky**  
Director  
(608) 266-1946

**Richard Sweet**  
Assistant Director  
(608) 266-2982



**David J. Stute, Director**  
Legislative Council Staff  
(608) 266-1304

One E. Main St., Ste. 401  
P.O. Box 2536  
Madison, WI 53701-2536  
FAX: (608) 266-3830

## CLEARINGHOUSE RULE 97-135

### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]**

#### 1. Statutory Authority

a. Section 252.24 (1) (b), Stats., defines the term “body piercing” in part to mean the perforation of any human body part or human tissue, except an ear. Section HFS 173.03 (5) defines the term “body pierce” in part to mean the perforation of any human body part or tissue, except an ear lobe. [See, also, s. HFS 173.03 (7).] Presumably, the intent of the rule is to regulate body piercing on parts of an ear other than the ear lobe. If so, the rule does not appear to be statutorily authorized. In any case, the definition in the rule should be consistent with the definition contained in the statute.

b. Section HFS 173.05 (1) (b) 3. states that no person under 18 years of age may be tattooed except as prescribed by a physician under s. 948.70 (3), Stats. The referenced provision of the statutes does not refer to a prescription. Section 948.70 (2), Stats., provides that, subject to sub. (3), any person who tattoos or offers to tattoo a child is subject to a Class D forfeiture. In sub. (3), the statute provides that a physician may tattoo or offer to tattoo a child in the course of the physician’s professional practice. The rule’s attempt to allow a physician to delegate the power to tattoo a child to a tattooist does not appear to be authorized by the statutes.

c. Section 252.245 (9), Stats., requires the Department of Health and Family Services (DHFS) to promulgate rules monitoring and evaluating the activities of, and providing education and training to, agent local health departments which are designated by DHFS to issue licenses and make investigations or inspections of tattooists and tattoo establishments and body piercers and body-piercing establishments. Will these rules be promulgated in a separate rule-making order?

## **2. Form, Style and Placement in Administrative Code**

A paragraph break should be inserted before s. HFS 173.03 (11).

## **4. Adequacy of References to Related Statutes, Rules and Forms**

a. Section HFS 173.05 (1) refers to a consent form approved by the department. The department should ensure that the requirements of s. 227.14 (3), Stats., are met.

b. In s. HFS 173.12 (2) (b), the cite to s. 252.04 (1), Stats., is incorrect. Is the correct cite s. 252.03 (1), Stats.? Also, the cross-reference should be rewritten to read “ss. 227.51 (3) and 252.03 (1), Stats.”

c. In s. HFS 173.12 (4), the phrase “of this section” should be deleted.

d. In s. HFS 173.13, it appears that the cross-reference to “s. HFS 173.03 (1) or (2)” should be replaced by a reference to “s. HFS 173.04 (1) or (2).”

## **5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. In s. HFS 173.03 (1), it appears that the word “permits” should be replaced by the word “licenses,” in order to be consistent with the remainder of ch. HFS 173 and the applicable provisions of ch. 252, Stats.

b. In s. HFS 173.03 (20), what does “or equivalent” refer to?

c. In s. HFS 173.03 (24), “Tempered” should be replaced with “Tempered water.”

d. In s. HFS 173.03 (25), the term “temporary establishment” is defined in terms of an event lasting for a maximum period of seven days. Does the rule make clear how many such events may occur in one year or whether an unlimited number of consecutive temporary establishments may be licensed?

e. In s. HFS 173.04 (1) (b) 5., the word “preinspection” is confusing. It would be clearer to use “inspection” or “the inspection required for obtaining a license.”

- f. In s. HFS 173.04 (2), “self” should be replaced by the phrase “himself or herself.”
- g. In s. HFS 173.06 (1), the phrase “durable, non-porous material and maintained” should be replaced by the phrase “durable and nonporous material and shall be maintained.”
- h. In s. HFS 173.06 (7) (c), is the provision of tempered water meant to be an alternative to making hot and cold water under pressure available? This should be clarified.
- i. In s. HFS 173.06 (12), what does the word “severe” mean?
- j. In s. HFS 173.07 (5) (e), it would make more sense to state that body-piercing jewelry “shall be cleaned, sterilized and individually packaged prior to use.”
- k. In s. HFS 173.08 (2), is there a difference between “containers of dye or ink” and “[p]igment and ink cups”? If not, the second and fourth sentences are inconsistent. If so, should pigment be mentioned in the second sentence and dye in the fourth?
- l. In s. HFS 173.09 (2) (c), does spore-testing test for spore-kill effectiveness? Perhaps this paragraph should be clarified.
- m. In s. HFS 173.09 (2) (f), “or becomes” should be inserted before “wet.”
- n. In s. HFS 173.11 (1) (d), what does the word “habitual” mean?
- o. In s. HFS 173.12 (2) (b), “Where” should be replaced with “If.” Also, in the second sentence, “The order shall take effect on delivery” should be replaced with “The order shall take effect upon delivery.” Finally, in the fourth sentence, a comma should be inserted after “If.”



***APPENDIX 2***  
***PROCESSING INSTRUCTIONS TO AGENCY HEADS***









***1997 ANNUAL REPORT  
ON THE LEGISLATIVE COUNCIL  
RULES CLEARINGHOUSE***

**WISCONSIN LEGISLATIVE COUNCIL STAFF**

One East Main Street, Suite 401  
P.O. Box 2536  
Madison, Wisconsin 53701-2536  
(608) 266-1304

**February 1998**

## ***WISCONSIN LEGISLATIVE COUNCIL STAFF***

### ***RULES CLEARINGHOUSE***

**Ronald Sklansky**  
Director  
(608) 266-1946

**Richard Sweet**  
Assistant Director  
(608) 266-2982



**David J. Stute, Director**  
Legislative Council Staff  
(608) 266-1304

One E. Main St., Ste. 401  
P.O. Box 2536  
Madison, WI 53701-2536  
FAX: (608) 266-3830

February 20, 1998

Mr. Donald J. Schneider  
Senate Chief Clerk  
One East Main Street, Suite 402  
Madison, WI 53703

Dear Don:

Enclosed is a copy of the *1997 Annual Report on the Legislative Council Rules Clearinghouse*, submitted to the Legislature pursuant to s. 227.15 (5), Stats. Copies have been distributed to the offices of each member of the Legislature.

The report covers the 18th full calendar year of operation of the Rules Clearinghouse. I trust that it will be found to be informative.

Sincerely,

David J. Stute  
Director

DJS:kjf;lah

Enclosure

# WISCONSIN LEGISLATIVE COUNCIL STAFF

LCRC  
FORM 3

## RULES CLEARINGHOUSE

**Ronald Sklansky**  
Director  
(608) 266-1946

**Richard Sweet**  
Assistant Director  
(608) 266-2982



**David J. Stute, Director**  
Legislative Council Staff  
(608) 266-1304

One E. Main St., Ste. 401  
P.O. Box 2536  
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FAX: (608) 266-3830

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## PROCESSING INSTRUCTIONS TO AGENCY HEADS

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[ENCLOSED ARE THE SENATE AND ASSEMBLY RULE JACKETS CONTAINING THE LEGISLATIVE COUNCIL CLEARINGHOUSE REPORT. AN ADDITIONAL COPY OF THE CLEARINGHOUSE REPORT IS ENCLOSED FOR YOUR FILES.]

**PLEASE NOTE:** Your agency must complete the following steps in the legislative process of administrative rule review:

5. On the appropriate line on the face of both clearinghouse rule jackets, enter, in column 1, the appropriate date and, in column 2, "Report Received by Agency."

6. On the appropriate line or lines on the face of both clearinghouse rule jackets, enter, in column 1, the appropriate date or dates and, in column 2, "Public Hearing Held" OR "Public Hearing Not Required."

7. Enclose in both clearinghouse rule jackets, in triplicate, the notice and report required by s. 227.19 (2) and (3), Stats. [The report includes the rule in final draft form.]

8. Notify the presiding officer of the Senate and Assembly that the rule is in final draft form by hand delivering the Senate clearinghouse rule jacket to the Senate Chief Clerk and the Assembly clearinghouse rule jacket to the Assembly Chief Clerk. At the time of this submission, on the appropriate line on the face of the clearinghouse rule jacket, each Chief Clerk will enter, in column 1, the appropriate date and, in column 2, "Report Received from Agency." Each clearinghouse rule jacket will be promptly delivered to each presiding officer for referral of the notice and report to a standing committee in each house.

9. If the agency does not proceed with the rule-making process on this rule, on the appropriate line on the face of both clearinghouse rule jackets, enter, in column 1, the appropriate date and, in column 2, "Rule Draft Withdrawn by Agency" and hand deliver the Senate clearinghouse rule jacket to the Senate Chief Clerk and the Assembly clearinghouse rule jacket to the Assembly Chief Clerk.

**FOR YOUR INFORMATION:** A record of all actions taken on administrative rules is contained in the Bulletin of Proceedings of the Wisconsin Legislature. The clearinghouse rule jackets will be retained by the Legislature as a permanent record.

[See reverse side for jacket sample.]

WLCS  
DJS:kjf;kja  
2/96

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## **RULES CLEARINGHOUSE**

**Ronald Sklansky**  
Director  
(608) 266-1946

**Richard Sweet**  
Assistant Director  
(608) 266-2982



**David J. Stute, Director**  
Legislative Council Staff  
(608) 266-1304

One E. Main St., Ste. 401  
P.O. Box 2536  
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FAX: (608) 266-3830

February 1998

TO: THE HONORABLE TOMMY G. THOMPSON, GOVERNOR,  
AND THE WISCONSIN LEGISLATURE

This report is submitted to you pursuant to s. 277.15 (5), Stats. Under that statute, the Legislative Council Staff is directed to submit an annual report "summarizing any action taken and making recommendations to streamline the rule-making process and eliminate obsolete, duplicative and conflicting rules."

This report covers calendar year 1997.

We believe that the report will be informative.

Respectfully submitted,

David J. Stute  
Director

DJS:kjf;lah

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## ***RULES CLEARINGHOUSE***

**Ronald Sklansky**  
Director  
(608) 266-1946

**Richard Sweet**  
Assistant Director  
(608) 266-2982



**David J. Stute, Director**  
Legislative Council Staff  
(608) 266-1304

One E. Main St., Ste. 401  
P.O. Box 2536  
Madison, WI 53701-2536  
FAX: (608) 266-3830

February 20, 1998

Senator Richard Grobschmidt  
100 North Hamilton, Room 404  
Madison, WI 53703

Dear Rick:

Enclosed is a copy of the *1997 Annual Report on the Legislative Council Rules Clearinghouse*. All legislators will get a copy.

Sincerely,

David J. Stute  
Director

DJS:kjf;lah

Enclosure

## ***WISCONSIN LEGISLATIVE COUNCIL STAFF***

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FAX: (608) 266-3830

February 20, 1998

Representative Glenn Grothman  
Room 125 West, State Capitol  
Madison, WI 53702

Dear Glenn:

Enclosed is a copy of the *1997 Annual Report on the Legislative Council Rules Clearinghouse*. All legislators will get a copy.

Sincerely,

David J. Stute  
Director

DJS:kjf;lah

Enclosure

## JOINT LEGISLATIVE COUNCIL

s. 13.81, Stats.

### OFFICERS

#### Cochairperson

FRED A. RISSER  
Senate President  
5008 Risser Road  
Madison 53705-1365

#### Cochairperson

CAROL KELSO  
Representative  
416 East Le Capitaine Circle  
Green Bay 54302-5153

### SENATORS

BRIAN BURKE  
2029 North 51st Street  
Milwaukee 53208-1747

ROBERT JAUCH  
Route 1, PO Box 635  
Poplar 54864-0635

CHARLES J. CHVALA  
1 Coach House Drive  
Madison 53714-2718

RODNEY C. MOEN  
18775 Dewey St., PO Box 215  
Whitehall 54773-0215

ROBERT L. COWLES  
300 W. Saint Joseph St., #23  
Green Bay 54301-2048

GWENDOLYNNE MOORE  
4043 North 19th Place  
Milwaukee 53209-6806

GARY DRZEWIECKI  
419 Washington Street  
Pulaski 54162-0313

KEVIN SHIBILSKI  
381 Mill Street  
Amherst 54406-9394

MICHAEL G. ELLIS  
1752 County Road GG  
Neenah 54956-9730

DAVID ZIEN  
1716 63rd Street  
Eau Claire 54703-6857

### REPRESENTATIVES

MARC DUFF  
1811 S. Elm Grove Road  
New Berlin 53151-2605

SCOTT JENSEN  
850 South Springdale Road  
Waukesha 53186-1402

STEVEN FOTI  
1117 Dickens Drive  
Oconomowoc 53966-4316

JUDITH KLUSMAN  
7539 Green Meadow Road  
Oshkosh 54904-9403

STEPHEN FREESE  
1121 Professional Drive  
Dodgeville 53533-0001

WALTER KUNICKI  
1550 South 4th Street  
Milwaukee 53204-2961

JOHN GARD  
481 Aubin St., PO Box 119  
Peshtigo 54157-0119

BARBARA J. LINTON  
Route 1, PO Box 299  
Highbridge 54846-9713

MARY HUBLER  
P.O. Box 544  
Rice Lake 54868-0544

MARLIN D. SCHNEIDER  
3820 Southbrook Lane  
Wisconsin Rapids 54494-7548



**WISCONSIN  
LEGISLATIVE COUNCIL STAFF**

**Director**

David J. Stute

**Deputy Director**

Jane R. Henkel

**Research Staff**

**Senior Staff Attorneys**

Dan Fernbach  
Shaun Haas  
Gordon A. Anderson  
Russ Whitesel  
Richard Sweet  
Ronald Sklansky  
Mark C. Patronskey  
Don Dyke  
William Ford  
Don Salm  
Pam Shannon  
Laura D. Rose  
Mary Matthias

**Staff Attorneys**

Joyce L. Kiel  
Robert J. Conlin  
Anne L. Sappenfield

**Staff Scientist**

John Stolzenberg

**Senior Analyst**

David L. Lovell

**Fiscal Staff**

**Accounts & Payroll Assistant**

Patricia K. Coakley

**Information Technology Specialist**

Kathy J. Annen

**Support Staff**

**Supervisor**

Wendy B. Ulrich

**Assistant Supervisor**

Lisa A. Hiebing

**Assistants**

Jane M. Miller  
Kathy J. Follett  
Julie A. Terry  
Kelly S. Mautz  
Barbara L. Vlasak  
Rachel Veum



**-- SAMPLE --**

**CLEARINGHOUSE RULE ASSEMBLY**      97-135

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AN ORDER to create chapter HFS 173, relating to regulation of tattooists and tattoo establishment and regulation of body piercers and body-piercing establishments.

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Submitted by      Department of Health and Family Services

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10-27-97	Received by Legislative Council.		
11-24-97	Report sent to Agency.		

CLEARINGHOUSE RULE ASSEMBLY

**NOTE:** EACH SUBSEQUENT ACTION TAKEN BY A STANDING COMMITTEE OR THE JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES WILL BE ENTERED ON THE JACKETS BY APPROPRIATE LEGISLATIVE STAFF.

# WISCONSIN LEGISLATIVE COUNCIL STAFF

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February 20, 1998

Mr. Charles Sanders  
Assembly Chief Clerk  
One East Main Street, Suite 402  
Madison, WI 53703

Dear Charlie:

Enclosed is a copy of the *1997 Annual Report on the Legislative Council Rules Clearinghouse*, submitted to the Legislature pursuant to s. 227.15 (5), Stats. Copies have been distributed to the offices of each member of the Legislature.

The report covers the 18th full calendar year of operation of the Rules Clearinghouse. I trust that it will be found to be informative.

Sincerely,

David J. Stute  
Director

DJS:kjf;lsh

Enclosure

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February 20, 1998

The Honorable Tommy G. Thompson  
Governor of Wisconsin  
Room 115 East, State Capitol  
Madison, WI 53702

Dear Governor Thompson:

Enclosed is a copy of the *1997 Annual Report on the Legislative Council Rules Clearinghouse*, submitted to you pursuant to s. 227.15 (5), Stats.

Sincerely,

David J. Stute  
Director

DJS:kjf;lah

Enclosure