

ADMINISTRATIVE RULE CORRESPONDENCE

Department of Commerce

Date: February 24, 2009

To: Aaron Olver

From: Greg Jones

Rule No.: Comm 5.12

Relating To: Administrative Forfeitures for POWTS Governmental Unit Employees

Subject: **Announcement of Public Hearing**

I have enclosed the required material for the announcement of a public hearing on the attached proposed rules. We have not scheduled a hearing date at this time. We are submitting this package to you for your review and approval of the proposed rules. We are planning on holding one hearing in Madison.

The 2007 Wisconsin Act 197 affects governmental unit employees who administer and enforce regulations pertaining to design, installation and maintenance of POWTS by limiting the activities that such employees may undertake outside of their governmental employment. The proposed rules implement administrative forfeitures authorized under 2007 Wisconsin Act 197 for violations of these limitations.

Please review the attached material and let me know if you have any questions. If we can proceed with announcing the public hearing, please sign the required forms and letters and return this package to Jim Quast. We will then schedule the hearing date, and prepare and distribute the required packages.

cc: Bob DuPont
Jim Quast



P.O. Box 7970
Madison, Wisconsin 53707
(608) 266-1018
TDD#: (608) 264-8777

Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Ronald Sklansky, Director
Administrative Rules Clearinghouse
Wisconsin Legislative Council
1 East Main Street, Suite 401
Madison, WI 53703

Dear Mr. Sklansky:

**TRANSMITTAL OF PROPOSED ADMINISTRATIVE RULES
FOR LEGISLATIVE COUNCIL REVIEW**

RULE NO.: Comm 5.12

RELATING TO Administrative Forfeitures for POWTS Governmental Unit Employees

Pursuant to section 227.15, Stats., agencies are required to submit copies of the proposed rules to the Legislative Council for review.

The attached proposed rules are in the form and style specified by section 227.14, Stats., and are being forwarded to you for review. Also attached are copies of a transmittal letter to the Legislative Reference Bureau, public notice, fiscal estimate, and initial regulatory flexibility analysis.

Respectfully submitted,

Richard J. Leinenkugel
Secretary

ADMINISTRATIVE RULE CORRESPONDENCE

Department of Commerce

Date:

To: Carol Dunn

From: Richard J. Leinenkugel

Rule No.: Comm 5.12

Relating To: Administrative Forfeitures for POWTS Governmental Unit Employees

Subject: **Notification of Proposed Rules Affecting Small Businesses**

The attached proposed rules are in the form and style specified by section 227.14 of Statutes.

I am sending these rules to you for your reference, under section 227.114 (5) of the Statutes. It does not appear that these rules will have a significant effect on small businesses.

Att.



P.O. Box 7970
Madison, Wisconsin 53707
(608) 266-1018
TDD#: (608) 264-8777

Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

February 25, 2009

Bruce Hoesly
Legislative Reference Bureau
One East Main Street Suite 200
Madison WI 53701-2037

Dear Mr. Hoesly:

**TRANSMITTAL OF WRITTEN NOTICE OF HEARING
AND LEGISLATIVE COUNCIL REVIEW**

RULE NO.: Comm 5.12

RELATING TO: Administrative Forfeitures for POWTS Governmental Unit Employees

AGENCY UNIT RESPONSIBLE: Safety and Buildings Division

PUBLIC HEARING REQUIRED: YES NO

CONTACT PERSON: Jim Quast TITLE: Program Manager

TELEPHONE: (608) 266-9292 EMAIL: Jim.Quast@wisconsin.gov

Pursuant to sections 227.14 (4m) and 227.17, Stats., agencies are required to transmit a written notice of submittal of proposed rules to the Legislative Council and a written notice of hearing to the Legislative Reference Bureau, for publication in the Administrative Register.

On the date on this letter the department is submitting proposed rules to the Legislative Council and is submitting the following material to you:

1. Notice of Public Hearing or 30-Day Notice of Proposed Rulemaking.
2. Fiscal Estimate.
3. Initial Regulatory Flexibility Analysis.
4. Draft of Proposed Rules.

Respectfully submitted,

Richard J. Leinenkugel
Secretary

STATE OF WISCONSIN
DEPARTMENT OF COMMERCE

**NOTICE OF
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to ss. 145.12 (5) (a) and 145.20 (6) Stats., as affected by 2007 Wisconsin Act 197 the Department of Commerce will hold a public hearing on proposed rules under Comm 5.12 establishing a schedule of forfeitures for POWTS Governmental Unit Employees.

The public hearing will be held as follows:

Date and Time:

Wednesday, April 15, 2009
10:00 AM

Location:

Conference Room 3B
Thompson Commerce Center
201 West Washington Avenue
Madison

Interested persons are invited to appear at the hearing and present comments on the proposed rules. Persons making oral presentations are requested to submit their comments in writing. Persons submitting comments will not receive individual responses. The hearing record on this proposed rulemaking will remain open until [date], to permit submittal of written comments from persons who are unable to attend the hearing or who wish to supplement testimony offered at the hearing. Written comments should be submitted to James Quast, at the Department of Commerce, P.O. Box 2689, Madison, WI 53701-2689, or Email at jim.quast@wisconsin.gov.

This hearing is held in an accessible facility. If you have special needs or circumstances that may make communication or accessibility difficult at the hearing, please call (608) 266-8741 or contact through Relay at least 10 days prior to the hearing date. Accommodations such as interpreters, English translators, or materials in audio tape format will, to the fullest extent possible, be made available upon a request from a person with a disability.

The proposed rules and an analysis of the proposed rules are available on the Internet at the Safety and Buildings Division Web site at www.commerce.wi.gov/SB/. Paper copies may be obtained without cost from Roberta Ward, at the Department of Commerce, Program Development Bureau, P.O. Box 2689, Madison, WI 53701-2689, or Email at roberta.ward@wisconsin.gov, or at telephone (608) 266-8741 or contact through Relay. Copies also will be available at the public hearing.

The small business regulatory coordinator for the Department of Commerce is Carol Dunn, who may be contacted at telephone (608) 267-0297, or Email at carol.dunn@wisconsin.gov.