

ADMINISTRATIVE RULE CORRESPONDENCE

Department of Commerce

Date:

To: Aaron Olver

From: Greg Jones
Division of Safety and Buildings

Rule No.: Comm 5.12

Relating To: Administrative Forfeitures for POWTS Governmental Unit Employees

Subject: Adoption of Rules

I have attached the required materials for the adoption of the proposed rules.

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.

The legislative review period for the Senate Committee on Commerce, Utilities, Energy and Rail ended on July 22, 2009. The legislative review period for the Assembly Committee on Natural Resources ended on July 31, 2009. As far as we know, neither committee took any action or provided any comment to the Department. In light of this, the Department may now adopt the rules.

If you agree that the proposed rules are ready for adoption, please sign and date the required forms and return this package to Lori Ann Curley for copying and distribution.

cc: Bob DuPont
Jim Quast
Roman Kaminski

Bruce Hoesly
Code Editor
Legislative Reference Bureau
Suite 200
1 East Main Street
Madison, Wisconsin 53703

Dear Mr. Hoesly:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO.: 09-021

RULE NO.: Comm 5.12

RELATING TO: Administrative Forfeitures for POWTS Governmental Unit Employees

Pursuant to section 227.20, Stats., agencies are required to file a certified copy of every rule adopted by the agency with the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you:

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.114, Stats., a summary of the final regulatory flexibility analysis is also included.

Respectfully submitted,

Richard J. Leinenkugel
Secretary

ORDER OF ADOPTION

Department of Commerce

Pursuant to authority vested in the Department of Commerce by section(s) Sections 145.12 (5) (a) and

145.20 (6), Stats., the Department of Commerce creates; amends;

repeals and recreates; repeals and adopts rules of Wisconsin Administrative Code chapter(s):

Comm 5 Licenses, Certifications and Registrations

(number)

(Title)

The attached rules shall take effect on the first day of the month following publication in the Wisconsin

Administrative Register pursuant to section 227.22, Stats.

Adopted at Madison, Wisconsin this

date: _____

DEPARTMENT OF COMMERCE

Deputy Secretary

RULES CERTIFICATE

Department of Commerce

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Richard J. Leinenkugel, Secretary of the Department of Commerce,
and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to
Administrative Forfeitures for POWTS Governmental Unit Employees
(Subject)

were duly approved and adopted by this department.

I further certify that said copy has been compared by me with the original on file in the department and
that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set
my hand at 201 West Washington Avenue
in the city of Madison, this _____
day of _____ A.D. _____

Secretary

SUMMARY OF FINAL REGULATORY FLEXIBILITY ANALYSIS

Department of Commerce

CLEARINGHOUSE RULE NO.: 09-021

RULE NO.: Comm 5.12

RELATING TO: Administrative Forfeitures for POWTS Governmental Unit Employees

Final Regulatory Flexibility Analysis Summary

The proposed rules implement the mandates imposed by 2007 Wisconsin Act 197. The Act 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 department does not believe that the proposed rules will increase the effect on small businesses over that imposed by the Act.

Summary of Comments of Legislative Standing Committees

Assembly Committee Natural Resources

Senate Committee Commerce, Utilities, Energy and Rail

No comments received.

Summary of Comments: