

Report From Agency

DATCP Docket No. 07-R-02
Rules Clearinghouse No: 07-061

Final Draft
November 21, 2007

PROPOSED ORDER OF THE STATE OF WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION ADOPTING, AMENDING AND REPEALING RULES

2 The state of Wisconsin department of agriculture, trade and consumer protection proposes the
3 following order *to amend* ATCP 10.01(106)b), 10.06(3)(b), 10.12(1), 10.14(1), 10.20(1)(b),
4 10.22(9)(b), 10.27(1) to (3), 10.29(1), 10.37(1)(a)2., 10.40(4)(a)1., 10.41(5)(a) to (d) and (6),
5 10.46(7)(a)1. and 2., (b) and (c), 10.47(3)(b)4., 10.61(4),(5), (6)(c) and (7)(a), 10.62(4)(c),
6 12.02(4)(a)1. to 3., 12.03(5)(a), 12.04(4)(a) and 12.045(3)(a); *to repeal and recreate* ATCP
7 10.61(7)(b); and *to create* ATCP 10.37(3)(g), 10.49(1m), 10.51(1m), 10.68(2m), 10.73(2m) and
8 10.74(1m); *relating to* animal health fees.

Analysis Prepared by the Department of Agriculture, Trade and Consumer Protection

The Department of Agriculture, Trade and Consumer Protection (“DATCP”) administers Wisconsin’s animal health and disease control program. The program is funded, in significant part, by animal health fees. This rule increases animal health fees in order to remedy a serious deficit in the animal health fee revenue account.

This rule delays most of the fee increases until mid 2009, except that fee increases for veterinary inspection forms, fish import permits, and fish farm registrations will take effect in 2008. DATCP was able to delay most fee increases because the budget act (2007 Wis. Act 20) provided temporary funding assistance of \$125,000 in each year of the 2007-09 biennium (one-time transfers from the Agriculture Chemical Cleanup Program).

Statutory Authority

Statutory authority: 93.07(1), 95.55(3), 95.57(2), 95.60(5), 95.68(4) and (8), 95.69(4) and (8), 95.71(5) and (8), and 95.715(2)(d).

Statutes interpreted: 93.06(1d), (1g), (1m), (1p), (1q), 95.55, 95.57(2), 95.60(5), 95.68(4) and (8), 95.69(4) and (8), 95.71(5) and (8), and 95.715(2)(d).

DATCP has broad authority, under s. 93.07(1), Stats., to adopt rules needed to implement laws under its jurisdiction. DATCP also has authority, under the provisions cited above, to charge certain animal health fees and determine the amount of those fees.

Rule Content

Fee Changes

This rule increases some current animal health fees, and creates some new fees. Among other things, this rule affects license fees, voluntary herd certification fees, fees for veterinary certification forms, and fees for voluntary certification of animal health professionals. Some of the fee increases (veterinary certification forms, livestock market licenses, etc.) may affect several sectors of the livestock industry, while others are limited to specific livestock sectors.

<i>Fee For:</i>	<i>Current Fee:</i>	<i>Proposed Fee:</i>
Certificate of Veterinary Inspection (blank form used by private veterinarians)	\$3 per form (interstate or intrastate)	\$5.60 per form (interstate) \$0.60 per form (intrastate)
Cattle; Brucellosis-Free Herd Certification (Voluntary certification facilitates animal sale and movement)	No fee.	\$50 annual certification
Cattle and Other Bovines; TB-Free Herd Certification (Voluntary certification facilitates sale and movement)	No fee	\$50 annual certification
Johne's Disease Veterinarian; Certification (Voluntary 3-year certification)	No fee	\$50 per 3-year certification
Cattle and Other Bovines: Approved Import Feedlot Permit (Voluntary permit facilitates certain imports)	\$75 annual permit	\$140 annual permit
Swine; Qualified Pseudorabies Negative Herd, Qualified Pseudo-Rabies Negative Grow-out Herd, or Feeder Swine Pseudorabies Monitored Herd (Voluntary	No fee	\$50 annual certification

certification facilitates sale and movement)

Swine; Validated Brucellosis-Free Herd Certification (Voluntary certification facilitates swine sale and movement)	No fee	\$50 annual certification
Equine Imports; Quarantine Station Permit (station may receive certain horse imports)	No fee	\$100 annual permit and \$100 permit per quarantined animal
Poultry Tester; Training	No fee.	\$25 training fee.
National Poultry Improvement Plan; Annual Flock Enrollment	Annual fee ranges from \$40 to \$200 based on flock type and size.	Annual fee ranges from \$80 to \$400 based on flock type and size.
Farm-raised Deer; Annual Herd Registration	Annual fee based on herd size: \$50 if ≤ 15 deer \$100 if > 15 deer \$150 minimum one-time inspection fee for 2 nd herd at same site (not required for renewal). \$100 surcharge if found operating without registration	Annual fee based on herd size: \$162.50 if ≤ 15 deer \$325 if > 15 deer \$200 minimum one-time inspection fee for 2 nd herd at same site (not required for renewal) \$250 surcharge if found operating without registration
Farm-raised Deer; Hunting Preserve Certificate	\$150 for 10-year certificate	\$500 for 10-year certificate
Farm-raised Deer; TB-Free Herd Certification (Voluntary certification facilitates deer sales and movement)	No fee.	\$50 per year of certification
Farm-raised Deer; Brucellosis-Free Herd Certification (Voluntary certification facilitates deer sales and movement)	No fee.	\$50 per year of certification
Fish Farm (Type 1); Annual Registration	\$25 annual fee covers any number of Type 1	\$37.50 annual fee covers one Type 1 fish farm; \$50 annual

	fish farms	fee covers any number of Type 1 fish farms
Fish Farm (Type 2); Annual Registration	\$50 annual fee covers any number of Type 2 fish farms	\$125 annual fee covers 1-5 Type 2 fish farms; \$150 annual fee covers 6-10 Type 2 fish farms; \$200 annual fee covers 11-20 Type 2 fish farms; \$300 annual fee covers 21 or more Type 2 fish farms.
Fish Import Permit (may cover multiple import shipments for up to one year)	\$50	\$90
Sheep; Brucella-Ovis Free Flock Certification (Voluntary certification facilitates animal sale and movement)	No fee	\$50 per year of certification
Goats; Brucellosis-Free Flock Certification (Voluntary certification facilitates animal sale and movement)	No fee	\$50 per year of certification
Goats; Tuberculosis Free Flock Certification (Voluntary certification facilitates animal sale and movement)	No fee	\$50 annual certification
Animal Market; Annual License	\$225 annual fee for Class A license \$115 annual fee for Class B license \$150 annual fee for Class C license	\$420 annual fee for Class A license \$220 annual fee for Class B license \$280 annual fee for Class C license
Animal Dealer; Annual License	\$115 annual fee	\$220 annual fee
Animal Trucker; Annual License	\$30 annual fee	\$60 annual fee
Animal Transport Vehicle; Annual Registration Sticker	\$10 annual fee per vehicle	\$20 annual fee per vehicle

Other Rule Changes

This rule eliminates current fish farm registration fee exemptions for research institutions and government agencies. Those entities will now have to pay the same registration fees as other fish farm operators.

Rule Effective Date

Rule provisions related to fish farm registrations, fish import permits and certifications of veterinarian inspection take effect on the rule publication date. The rest of this rule takes effect beginning on July 1, 2009. There are different annual license cycles for different types of licensed (and registered) entities, so that license (registration) fee increases do not apply until the first annual license cycle beginning after the relevant effective date.

Fiscal Estimate

State Fiscal Effect

Animal Health program operations are funded by a combination of general state tax dollars (79%), animal health fee revenues (19%) and federal funds (2%). This does *not* include federal funds that are passed through to program beneficiaries in the form of grants or other assistance.

Recent state budgets have done the following:

- Reduced annual GPR funding (general tax dollars) for animal health by nearly \$300,000.
- Lapsed approximately \$130,000 in animal health fee revenue (one-time lapse) to the state general fund.
- Assigned more staff to be paid from animal health fee revenues.

Program costs have gone up this year, as DATCP has filled critical animal health positions that had been held vacant. DATCP has only about 37 authorized permanent positions (field and office positions) for its *entire* animal health and disease control program, so it is important that key positions be filled.

As a result of these combined factors, the positive cash balance in the animal health fee revenue account is declining rapidly. DATCP collects about \$300,000 in animal health fees each year, and projects fee revenue expenditures approaching \$600,000 each year. Even with the temporary funding assistance of \$125,000 in each year of the 2007-09 biennium DATCP projects a negative cash balance of \$85,000 in the animal health fee revenue account beginning in FY 2008, \$241,000 in FY 2009, \$545,00 in FY 2010 and \$877,000 in FY 2011.

This rule will increase animal health fee revenues by approximately \$149,000 in FY 2008-09. When it is fully implemented beginning in FY 2009-10, it will increase annual fee revenues by approximately \$375,150. DATCP projects that this fee increase will stabilize animal health program staffing and funding through 2012, without further fee increases.

Without this fee increase or other funding support, DATCP will need to reduce animal health staffing at a time when bio-security and disease threats have grown. DATCP has only about 37 permanent staff for *all* of its animal health and disease control programs (does not count temporary, federally-funded positions). Staff reductions will increase risks to Wisconsin's major livestock industries, which rely on effective animal health and disease control programs. Staff reductions will also increase disease risks to humans and wildlife.

Local Fiscal Effect

This rule will have no fiscal impact on local units of government. See fiscal estimate attached.

Business Impact

This rule affects animal markets, animal dealers, animal truckers, livestock farmers, deer farmers, fish farmers and veterinarians. Many of these businesses are "small businesses" as defined in s. 227.114(1)(a), Stats.

This rule increases some current animal health fees, and creates some new fees. Some fee increases may affect several sectors of the livestock industry, while others are limited to specific livestock sectors.

The proposed fee increases will increase industry costs by a combined statewide total of approximately \$375,150 per year for all affected industries, once the rule is fully implemented. The projected impact by industry sector is shown in *Appendix B*. Fee increases for individual businesses are generally modest, and depend on business size and type. Smaller businesses generally pay lower fees than large businesses. Fees are based, in part, on animal health costs related to each affected industry.

This rule does not change other animal health regulations. This rule requires no additional recordkeeping, and no added professional services to comply. For small businesses, the effective date of this rule is automatically delayed by 2 months, pursuant to s. 227.22(2)(e), Stats. The delayed effective date is not expected to have a significant impact on the timing or amount of fee collections under this rule.

Federal Regulation

DATCP administers animal disease control programs in cooperation with the United States Department of Agriculture, Animal and Plant Health Inspection Service ("the federal bureau"). Federal grants pay for about 2% of Wisconsin's animal health program operations. This does *not* include federal funds that are passed through to program beneficiaries in the form of grants or other assistance.

The federal bureau has well-established control programs for historically important diseases such as tuberculosis and brucellosis. The federal bureau has less well-developed programs for new or localized diseases, or emerging animal-based industries. In those areas, states often play a

leadership role. For example, Wisconsin is a recognized national leader in the regulation of farm-raised deer (chronic wasting disease) and aquaculture.

States have independent authority to regulate animal health and movement, including imports from other states. However, states strive for reasonable consistency, based on standards spelled out in federal regulations. States typically incorporate federal standards where they exist, and play a key role in implementing federal standards.

The federal bureau does not license animal businesses, or regulate state fees. This fee rule does not duplicate or conflict with any federal fees or standards.

Surrounding State Programs

Surrounding state animal health programs are broadly comparable to those in Wisconsin, but differ in a number of ways. State programs reflect differences in animal populations, animal-based industries, and disease threats. Programs for historically important diseases, such as tuberculosis and brucellosis, tend to be fairly similar between states and are based on well-established federal standards. Programs for newer diseases or newer forms of agriculture, such as farm-raised deer and aquaculture, tend to be more variable.

Animal health fees fund about 19% of Wisconsin's animal health program operations. In the surrounding states, by contrast, animal health program operations are funded almost entirely by state general fund appropriations. Some states charge almost no license fees. Other states charge fees but deposit them to the state general fund (so they do not have a direct impact on program appropriations).

Minnesota

The state-funded portion of Minnesota's animal health program is funded 98% by state general fund appropriations and 2% by industry fees. The farm-raised deer (chronic wasting disease control) program is the only program that charges fees. That fee is \$10 per farm-raised deer, up to maximum of \$100 per herd.

Iowa

The state-funded portion of Iowa's animal health program is funded 100% by state general fund appropriations. Iowa charges nominal industry fees that are deposited to the state general fund. The cost to collect the fees (which are set by statute) exceeds the amount of revenue produced. Fees include the following:

- \$50 for an annual animal market license, plus \$10 for each market agent.
- \$25 for an annual animal dealer license, plus \$10 for each dealer agent.
- \$5 for an annual pig dealer license, plus \$3 for each dealer agent.
- \$3 for an annual poultry buyer license.
- \$10 for an annual hatchery license.
- \$25 to register a livestock brand for 5 years.

- \$10 for an annual sheep dealer license.
- \$10 for an annual bull breeder license.

Michigan

The state-funded portion of Michigan's animal health program is funded 95% by state general fund appropriations, 2% by segregated fees from racing, and 3% by animal industry fees. Michigan fees include the following:

- \$400 for an annual livestock market (auction) license.
- \$250 for an annual livestock collection point (buy station) license.
- \$150 for an annual horse market (auction) license.
- \$50 for an annual livestock dealer license.
- \$100 for an annual fish farm license (\$75 for a renewal).

Illinois

The state-funded portion of Illinois' animal health program is funded 100% by state general fund appropriations, except that part of its poultry program (eggs) is funded by industry fees. The state also charges some lab testing fees for non-traditional diseases. Illinois charges nominal license fees that are deposited to the state general fund. The cost to collect the fees (which are set by statute) exceeds the amount of revenue produced. Fees include the following:

- \$200 for an annual livestock market (auction) license.
- \$25 for an annual livestock dealer license (\$10 for a renewal license), plus \$10 for each additional business location and \$5 for each dealer agent.
- \$25 for an annual feeder swine dealer license (\$10 for a renewal license), plus \$5 for each dealer agent.

Agency Contact

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1 **SECTION 1.** ATCP 10.01(106)(b) is amended to read:

1 ATCP 10.01(106)(b) In the case of farm-raised deer, the uniform methods and
2 rules for the national cervid tuberculosis eradication program dated January 22, 1999, as
3 published in federal bureau publication 91-45-011 (January 22, 1999), as amended by
4 federal register Volume 71, No. 81, effective April 21, 2006.

5 **SECTION 2.** ATCP 10.06(3)(b) is amended to read:

6 ATCP 10.06(3)(b) A Wisconsin certified veterinarian may obtain Wisconsin
7 certificate of veterinary inspection forms from the department ~~for \$3 per form.~~ There is a
8 fee of \$5.60 for each interstate movement form, and \$0.60 for each intrastate movement
9 form.

10 **SECTION 3.** ATCP 10.12(1) is amended to read:

11 ATCP 10.12(1) CERTIFICATION. The department may certify a herd of cattle as a
12 brucellosis-free herd if the herd qualifies for that certification under the brucellosis
13 uniform methods and rules. Every certification application shall include a nonrefundable
14 fee of \$50 for each year of certification. To maintain the herd certification, a herd owner
15 shall comply with applicable requirements under the brucellosis uniform methods and
16 rules.

17 **SECTION 4.** ATCP 10.14(1) is amended to read:

18 ATCP 10.14(1) CERTIFICATION. The department may certify a herd of bovine
19 animals as an accredited tuberculosis-free herd if the herd qualifies for that certification
20 under the tuberculosis uniform methods and rules. Every annual certification application
21 shall include a nonrefundable fee of \$50 for each year of certification. To maintain the
22 certification, a herd owner shall comply with applicable requirements under the
23 tuberculosis uniform methods and rules.

1 **SECTION 5.** ATCP 10.20(1)(b) is amended to read:

2 ATCP 10.20(1)(b) An application for certification under par. (a) shall include a
3 nonrefundable fee of \$50. A certification under paragraph (a) expires 3 years after it is
4 granted. A veterinarian may renew the certification by completing a renewal training
5 program provided or approved by the department and paying a nonrefundable renewal fee
6 of \$50.

7 **SECTION 6.** ATCP 10.22(9)(b) is amended to read:

8 ATCP 10.22(9)(b) *Permit application.* To obtain an approved import feedlot
9 permit, a feedlot operator shall submit an application on a form provided by the
10 department. The application shall identify the location of the feedlot by county, township
11 and section, and shall include other relevant information required by the department. The
12 application shall include a fee of ~~\$75~~ \$140. The department shall grant or deny a permit
13 application within 30 days after a complete application is filed with the department.

14 **SECTION 7.** ATCP 10.27(1) to (3) are amended to read:

15 ATCP 10.27(1) **QUALIFIED PSEUDORABIES NEGATIVE HERD.** The department may
16 certify a herd of swine as a qualified pseudorabies negative herd if the herd qualifies for
17 that certification under the pseudorabies national eradication standards. Every
18 certification application shall include a nonrefundable fee of \$50 for each year of
19 certification. To maintain the certification, the herd owner shall comply with applicable
20 requirements under the pseudorabies national eradication standards.

21 (2) **QUALIFIED PSEUDORABIES NEGATIVE GROW-OUT HERD.** The department may
22 certify a herd of swine as a qualified pseudorabies negative grow-out herd if the herd
23 qualifies for that certification under the pseudorabies national eradication standards.

1 Every certification application shall include a nonrefundable fee of \$50 for each year of
2 certification. To maintain the certification, the herd owner shall comply with applicable
3 requirements under the pseudorabies national eradication standards.

4 (3) FEEDER SWINE PSEUDORABIES MONITORED HERD. The department may certify
5 a herd of swine as a feeder swine pseudorabies monitored herd if the herd qualifies for
6 that certification under the pseudorabies national eradication standards. Every
7 certification application shall include a nonrefundable fee of \$50 for each year of
8 certification. To maintain the certification, the herd owner shall comply with applicable
9 requirements under the pseudorabies national eradication standards.

10 **SECTION 8.** ATCP 10.29(1) is amended to read:

11 ATCP 10.29(1) CERTIFICATION. The department may certify a herd of swine as a
12 validated brucellosis-free herd if the herd qualifies for that certification under the
13 brucellosis uniform methods and rules. Every certification application shall include a
14 nonrefundable fee of \$50 for each year of certification. To maintain the herd
15 certification, the herd owner shall comply with applicable requirements under the
16 brucellosis uniform methods and rules.

17 **SECTION 9.** ATCP 10.37(1)(a)2. is amended to read:

18 ATCP 10.37(1)(a)2. The applicant pays a nonrefundable \$100 permit fee and the
19 department issues a permit under s. ATCP 10.07(2) authorizing the import shipment, ~~and~~
20 ~~a~~ A copy of the permit shall accompany the shipment.

21 **SECTION 10.** ATCP 10.37(3)(g) is created to read:

22 ATCP 10.37(3)(g) A nonrefundable annual permit fee of \$100.

23 **SECTION 11.** ATCP 10.40(4)(a)1. is amended to read:

1 ATCP 10.40(4)(a)1. An individual who has completed sample collection training,
2 provided by the department, within 2 years prior to collecting the blood samples. The
3 department shall charge a \$25 training fee.

4 **SECTION 12.** ATCP 10.41(5)(a) to (d) are amended to read:

5 ATCP 10.41(5)(a) ~~\$20~~ \$40 if the flock consists solely of specialty breeds, other
6 than breeds commonly raised for meat or egg production, and the flock owner raises the
7 birds primarily for exhibition.

8 (b) ~~\$20~~ \$40 if the flock owner does not hatch or collect eggs, and obtains stock
9 solely from flocks enrolled in the national poultry improvement plan.

10 (c) ~~\$30~~ \$60 if the flock includes farm-raised game birds, the flock owner does not
11 hatch or collect eggs, and the flock owner obtains stock solely from flocks enrolled in the
12 national poultry improvement plan.

13 (d) The following applicable fee for a breeding flock of poultry or farm-raised
14 game birds:

- 15 1. ~~\$40~~ \$80 if the flock includes no more than 1,000 breeders.
- 16 2. ~~\$50~~ \$100 if the flock includes more than 1,000 breeders, but no more than
17 5,000 breeders.
- 18 3. ~~\$100~~ \$200 if the flock includes more than 5,000 breeders, but no more than
19 10,000 breeders.
- 20 4. ~~\$200~~ \$400 if the flock includes more than 10,000 breeders.

21 **SECTION 13.** ATCP 10.41(6) is amended to read:

22 ATCP 10.41(6) TESTING. Testing under this section, including test sample
23 collection, shall comply with applicable requirements in s. ATCP ~~10.40(3)~~10.40(4).

1 **SECTION 14.** ATCP 10.46(7)(a)1. and 2., (b) and (c) are amended to read:

2 ATCP 10.46(7)(a)1. A nonrefundable annual fee of ~~\$50~~ \$162.50 if the herd
3 includes no more than 15 farm-raised deer.

4 2. A nonrefundable annual fee of ~~\$100~~ \$325 if the herd includes more than 15
5 farm-raised deer.

6 (b) A person who applies to register a herd at the same location where another
7 herd is registered shall pay a nonrefundable fee of ~~\$150~~ \$200 for each day needed to
8 complete an inspection under sub. (4)(c).

9 (c) An applicant shall pay a registration fee surcharge of ~~\$100~~ \$250 if the
10 department determines that, within 365 days prior to submitting the registration
11 application, the applicant kept farm-raised deer without a required registration certificate.
12 In addition to the surcharge, the applicant shall pay the fee due for the year in which the
13 applicant failed to obtain the required registration certificate.

14 **SECTION 15.** ATCP 10.47(3)(b)4. is amended to read:

15 ATCP 10.47(3)(b)4. A nonrefundable fee of ~~\$150~~ \$500.

16 **SECTION 16.** ATCP 10.49(1m) is created to read:

17 ATCP 10.49(1m) **CERTIFICATION FEE.** Every application for certification under
18 sub. (1) shall include a nonrefundable application fee of \$50 for each year of certification.

19 **SECTION 17.** ATCP 10.51(1m) is created to read:

20 ATCP 10.51(1m) Every application for certification under sub. (1) shall include a
21 nonrefundable application fee of \$50 for each year of certification.

22 **SECTION 18.** ATCP 10.61(4), (5), (6)(c) and (7)(a) are amended to
23 read:

1 ATCP 10.61(4) ANNUAL EXPIRATION DATE. An annual fish farm registration
2 certificate under sub.(1) expires on ~~December~~ March 31 of each year.

3 (5) PERSONS OPERATING 2 OR MORE FISH FARMS. A person who
4 operates 2 or more fish farms shall obtain a separate registration certificate
5 under sub. (1) for each fish farm. A person may obtain annual registration
6 certificates for 2 or more fish farms by filing a single annual application
7 under sub. (6) and paying a single annual fee under sub. (7). ~~There is no~~
8 ~~additional charge for additional fish farms.~~ A registration certificate is not
9 transferable between persons or locations.

10 (6)(c) ~~For each fish farm under par. (b), a~~ A statement indicating
11 whether the operator seeks a type 1 or a type 2 registration certificate for
12 each fish farm.

13 (7)(a) Except as provided in par. (b), an operator shall pay the
14 following annual fee to obtain registration certificates for one or more fish
15 farms identified on the same registration application:

16 1. ~~A total nonrefundable fee of \$25 if the fish farms are all type 1 fish farms~~
17 \$37.50 for a type 1 fish farm, or a total nonrefundable fee of \$50 for 2 or more type 1 fish
18 farms.

19 2. ~~A total nonrefundable fee of \$50 if any of the fish farms is a type 2 fish farm~~
20 \$125 for up to 5 type 2 fish farms, \$150 for more than 5 but not more than 10 type 2 fish
21 farms, \$200 for more than 10 but not more than 20 type 2 fish farms, and \$300 for more
22 than 20 fish farms that are type 2 fish farms.

23 **SECTION 19.** ATCP 10.61(7)(b) is repealed and recreated to read:

1 ATCP 10.61(7)(b) Primary and secondary schools are exempt from registration
2 fees under par. (a).

3 **SECTION 20.** ATCP 10.62(4)(c) is amended to read:

4 ATCP 10.62(4)(c) A nonrefundable fee of ~~\$50~~ \$90.

5 **SECTION 21.** ATCP 10.68(2m) is created to read:

6 ATCP 10.68(2m) Every application for certification under sub. (1) or
7 certification renewal under sub. (2) shall include a nonrefundable fee of \$50 for each year
8 of certification.

9 **SECTION 22.** ATCP 10.73(2m) is created to read:

10 ATCP 10.73(2m) Every application for certification under sub. (1) or
11 certification renewal under sub. (2) shall include a nonrefundable fee of \$50.

12 **SECTION 23.** ATCP 10.74(1m) is created to read:

13 ATCP 10.74(1m) Every application for certification under sub. (1) shall include a
14 nonrefundable fee of \$50 for each year of certification.

15 **SECTION 24.** ATCP 12.02(4)(a)1. to 3. are amended to read:

16 ATCP 12.02(4)(a)1. ~~\$225~~ \$420 for a class A license.

17 2. ~~\$115~~ \$220 for a class B license.

18 3. ~~\$150~~ \$280 for a class E license.

19 **SECTION 25.** ATCP 12.03(5)(a) is amended to read:

20 ATCP 12.03(5)(a) LICENSE FEES. A person shall pay a basic nonrefundable
21 annual fee of ~~\$115~~ \$220 for an animal dealer license under sub. (1).

22 **SECTION 26.** ATCP 12.04(4)(a) is amended to read:

1 ATCP 12.04(4)(a) FEES. A person shall pay a basic nonrefundable annual license
2 fee of ~~\$30~~ \$60 for a license under sub. (1).

3 **SECTION 27.** ATCP 12.045(3)(a) is amended to read:

4 ATCP 12.045(3)(a) A person shall pay an annual fee of ~~\$10~~ \$20 for each vehicle
5 registration sticker under this section.

6 **SECTION 28. EFFECTIVE DATE AND INITIAL APPLICABILITY.**

7 (1) Except as provided in subs. (2) to (4), this rule takes effect on July 1, 2009.

8 (2) Except as provided in subs. (3) and (4), the treatment of sections ATCP
9 10.06(3)(b), 10.61(4), (5), (6)(c), (7)(a) and (b), and 10.62(4)(c) of this rule takes effect
10 the first day of the month following publication in the Wisconsin administrative register,
11 as provided under s. 227.22(2)(intro.).

12 (3) The treatment of sections ATCP 10.06(3)(b), 10.61(4), (5), (6)(c), and (7)(a)
13 and (b), and 10.62(4)(c) of this rule first applies to small businesses as defined in s.
14 227.114(1), Stats., on the first day of the third month commencing after the rule
15 publication date, as required by s. 227.22(2)(e), Stats.

16 (4) The treatment of s. ATCP 10.61(4) by this rule first applies to registration certificates
17 issued for the first registration year beginning after the effective date of this rule.

Dated this _____ day of _____, _____.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By _____
Rodney J. Nilsestuen, Secretary