RULE REPORT

Department of Commerce

Clearinghouse Rule No.:   10-008

Rule No.:   Chapter Comm 132

Relating to: Dairy Manufacturing Facility Investment Credits

Contact person for substantive questions: *Contact person for internal processing:*

Name   Sam Rockweiler   Name   (same)

Title   Code Development Consultant   Title

Telephone Number   266-0797   Telephone Number

1.   Basis and purpose of the proposed rule.

        The proposed rules would primarily expand chapter Comm 132 to enable members of dairy cooperatives to claim tax credits for the cooperatives' investments in dairy manufacturing facilities, as authorized by 2009 Wisconsin Act 2.

2.   How the proposed rule advances relevant statutory goals or purposes.

        The proposed rules are consistent with the Department's statutory duty to foster the growth and diversification of the economy of Wisconsin.

3.   Changes to the rule analysis or fiscal estimate that was prepared for public hearing.

        No substantive changes were made to the rule analysis or fiscal estimate.

FINAL REGULATORY FLEXIBILITY ANALYSIS

Department of Commerce

CLEARINGHOUSE RULE 10-008
NO.:

RULE NO.:   Chapter Comm 132

RELATING TO: Dairy Manufacturing Facility Investment Credits

☐   Final regulatory flexibility analysis not required. (Statement of determination required.)

1.   Reason for including or failing to include the following methods for reducing impact of the rule on small businesses: Less stringent compliance or reporting requirements; less stringent schedules or deadlines for compliance or reporting requirements; simplification of compliance or reporting requirements; establishment of performance standards to replace design or operational standards; exemption from any or all requirements.

      Less stringent requirements are not proposed for small businesses because the directive under which these rules are proposed, section 560.207 of the Statutes, does not provide such flexibility.

2.   Issues raised by small businesses during hearings, changes in proposed rules as a result of comments by small businesses and reasons for rejecting any alternatives suggested by small businesses.

      No issues were raised.

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3.   Nature and estimated cost of preparation of any reports by small businesses.

        No substantive reporting would be imposed on small businesses.

4.   Nature and estimated cost of other measures and investments required of small businesses.

        The rules are not expected to impose significant costs on small businesses for other measures because the rules address submittal of documentation only by dairy cooperatives that choose to pursue tax credits for investing in dairy manufacturing facilities.

5.   Additional cost to agency of administering or enforcing a rule which includes any of the methods in 1. for reducing impact on small businesses.

        None of the methods listed in 1. for reducing small-business impacts are included in the proposed
rules.

6.   Impact on public health, safety and welfare caused by including any of the methods in 1. for reducing impact on small businesses.

        None of the methods listed in 1. for reducing small-business impacts are included in the proposed
rules.

RESPONSE TO
LEGISLATIVE COUNCIL CLEARINGHOUSE REPORT

Department of Commerce

CLEARINGHOUSE RULE NO.:   10-008

RULE NO.:   Chapter Comm 132

RELATING TO: Dairy Manufacturing Facility Investment Credits

Agency contact person for substantive questions.

Name: Sam Rockweiler

Title: Code Development Consultant

Telephone No.   266-0797

Legislative Council report recommendations accepted in whole.

[X] Yes   [ ] No

1.   Review of statutory authority [s. 227.15(2)(a)]

a.   [X]   Accepted

b.   [ ]   Accepted in part

c.   [ ]   Rejected

d.   [ ]   Comments attached

2.   Review of rules for form, style and placement in administrative code [s. 227.15(2)(c)]

a.   [X]   Accepted

b.   [ ]   Accepted in part

c.   [ ]   Rejected

d.   [ ]   Comments attached

3.	Review rules for conflict with or duplication of existing rules [s. 227.15(2)(d)]

	a.	| X |	Accepted

	b.	| |	Accepted in part

	c.	| |	Rejected

	d.	| |	Comments attached

4 .	Review rules for adequate references to related statutes, rules and forms [s. 227.15(2)(e)]

	a.	| X |	Accepted

	b.	| |	Accepted in part

	c.	| |	Rejected

	d.	| |	Comments attached

5 .	Review language of rules for clarity, grammar, punctuation and plainness [s. 227.15(2)(f)]

	a.	| X |	Accepted

	b.	| |	Accepted in part

	c.	| |	Rejected

	d.	| |	Comments attached

6 .	Review rules for potential conflicts with, and comparability to, related federal regulations [s. 227.15(2)(g)]

	a.	| X |	Accepted

	b.	| |	Accepted in part

	c.	| |	Rejected

	d.	| |	Comments attached

7 .	Review rules for permit action deadline [s. 227.15(2)(h)]

	a.	| X |	Accepted

	b.	| |	Accepted in part

	c.	| |	Rejected

d. ☐ Comments attached