

## Report From Agency

### STATE OF WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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**IN THE MATTER OF RULE-MAKING** :  
**PROCEEDINGS BEFORE THE** : **REPORT TO THE LEGISLATURE**  
**DEPARTMENT OF SAFETY AND** : **CLEARINGHOUSE RULE 13-047**  
**PROFESSIONAL SERVICES** :

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#### **I. THE PROPOSED RULE:**

The proposed rules, including the analysis and text, are attached.

#### **II. REFERENCE TO APPLICABLE FORMS:**

The proposed rules do not require use of any forms.

#### **III. FISCAL ESTIMATE AND EIA:**

The Fiscal Estimate and Economic Impact Analysis is attached.

#### **IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:**

The proposed rule revisions would add Wisconsin Technical College System schools and other U.S. Department of Education approved institutions to the list of those able to provide training to individuals seeking the Department's approval to be firearms-proficiency certifiers for private security personnel, private detectives, and private investigators or special investigators – as authorized by 2011 Wisconsin Act 35.

#### **V. SUMMARY OF PUBLIC COMMENTS AND THE DEPARTMENT'S RESPONSES, AND EXPLANATION OF MODIFICATIONS TO THE PROPOSED RULES PROMPTED BY THE PUBLIC COMMENTS:**

The Department held a public hearing on August 6, 2013, and received comments only from the Director of Governmental and Community Affairs at Marquette University, who testified in support of the proposed rules. According to the Director, having their own in-house firearms instructors is the only practical way to train their 54 armed security officers. It is not cost-effective to hire an outside instructor every time the University needs either new officers trained or their current officers re-certified. Under the current rules, the only way their instructors can become certified to provide this firearms training is by attending out-of-state instruction provided by the National Rifle Association. That attendance costs

the University over \$1000 per instructor, per trip, for food, lodging and travel. The in-state instruction allowed by the proposed rules would substantially reduce that cost.

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

**Comment:** 2.c.

**Response:** The Department prefers to leave the proposed rules broadly specify equivalency to the instructor training that is provided by either the Wisconsin Law Enforcement Standards Board or the National Rifle Association, because as that training evolves, the needed equivalency can evolve as well.

All of the remaining recommendations suggested in the Clearinghouse Report have been accepted in whole.

**VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:**

These rules were not submitted to the Small Business Regulatory Review Board.

These rules will not have a significant economic impact on a substantial number of small businesses.

*File reference: SPS 34.04/Legislative Report*