

**Report From Agency**

**STATE OF WISCONSIN  
CONTROLLED SUBSTANCES BOARD**

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**IN THE MATTER OF RULEMAKING :  
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE  
CONTROLLED SUBSTANCES BOARD : CR 17-020**

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**I. THE PROPOSED RULE:**

The proposed rule, including the analysis and text, is attached.

**II. REFERENCE TO APPLICABLE FORMS: n/a**

**III. FISCAL ESTIMATE AND EIA:**

The Fiscal Estimate and EIA 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 purpose of the proposed rule is to schedule U-47700 as a schedule I controlled substance. On November 14, 2016, a final rule was published in the Federal Register placing U-47700 into schedule I of the federal Controlled Substances Act. The Controlled Substances Board took Affirmative Action on December 14, 2016 to similarly treat U-47700 under chapter 961, Stats effective on December 19, 2016 and expires upon promulgation of a final rule. It is in the best interest of Wisconsin citizens to schedule drugs which are determined to be controlled substances.

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

Per s. 961.11(4), Stats., if no objection is made, the board shall promulgate a final rule for which notice of proposed rulemaking is omitted. Therefore, the Board did not hold a public hearing.

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

**Comment 2:** In addition to creating s. 961.14 (2) (z), Stats., the board could consider amending the ending punctuation of par. (y) to be consistent with the ending punctuation used in the other paragraphs. Alternatively, the board could consider amending the other paragraphs to end each with a period rather than a semicolon, in order to be consistent with the recommended style.

**Response:** This rule is only amending s. 961.14 (2) (z), Stats. It is not within the scope of this rulemaking order to amend the punctuation in the other paragraphs of s. 961.14 (2), Stats.

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

This rule does not have an impact on small business.