

CH. ATCP 74 – Local Agents and Regulations ; Final Rule (CR16-082)

The Department of Agriculture, Trade and Consumer Protection (“DATCP”) is enclosing a copy of the final rule, as adopted by DATCP. DATCP is also providing the following information for publication with the rule, as required by Wis. Stat. § 227.114(6).

CLEARINGHOUSE RULE #: CR16-082

SUBJECT: Local Agents and Regulation

ADM. CODE REFERENCE: ATCP 74

DATCP DOCKET #: 15-R-19

DATCP is enclosing a copy of the final rule, as adopted by the department. We are also providing the following information for publication with the rule, as required by Wis. Stat. § 227.114 (6).

Business Impact Analysis (Summary)

The rule regulates the relationship between DATCP and local governmental units that enter into a contractual relationship with the State to do retail food, lodging, and recreational safety inspections. Since the rule clarifies contractual language, merges the language and expectations of two programs, and clarifies expectations for the credentialing of staff, it should have a positive impact by allowing local governmental units to do better planning.

This rule change is anticipated to have no impact on small business. All economic impact comments were taken into account, but fiscal issues raised by business (such as capping license fees charged by agent programs) were beyond the scope of this rule.

Comments from Legislative Committees (Summary)

DATCP transmitted the above rule for legislative committee review on October 10, 2017. The rule was assigned to the Assembly Committee on Consumer Protection on October 24, 2017 and to the Senate Committee on Government Operations, Technology and Consumer Protection on October 12, 2017. The Assembly referred the rule to the Joint Committee for Review of Administrative Rules (JCRAR) on December 4, 2017, and the Senate referred it to JCRAR on November 15, 2017. JCRAR took no action on the rule and reported out the Assembly submission on January 4, 2018, and the Senate submission on January 3, 2018.