



Wisconsin Legislative Council

RULES CLEARINGHOUSE

Scott Grosz
Clearinghouse Director

Anne Sappenfield
Legislative Council Director

Margit Kelley
Clearinghouse Assistant Director

CLEARINGHOUSE RULE 22-081

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

2. Form, Style and Placement in Administrative Code

The agency should review the relationship between existing s. ATCP 10.80 (2) (c) and s. 95.21 (2), Stats. Specifically, does the agency intend for s. ATCP 10.80 (2) (c) to apply to rabies vaccination for dogs? If so, the material created in SECTION 2 of the proposed rule should be placed between ss. ATCP 10.80 (2) (b) and (2) (c) and numbered (2) (bm) instead of (2) (d). Such placement would more logically demonstrate the general applicability of sub. (2) (c). [See s. 1.09 (2) (c) 3., Manual.] If, for rabies vaccination of dogs, continued application of s. ATCP 10.80 (2) (c) is not intended, further revisions may be necessary. For example, distinction could be drawn via amendment of the “section” reference in sub. (2) (c).

3. Conflict With or Duplication of Existing Rules

The agency should review the relationship between existing s. ATCP 10.80 (3) and s. 95.21 (2) (a), Stats., as referenced in proposed s. ATCP 10.80 (2) (d). What rabies vaccination requirement would apply to a dog imported to the state for veterinary treatment of a duration longer than 30 days? Relatedly, in s. ATCP 10.80 (1) (intro.), is the reference to the limited exemption of “sub. (3)” in conflict, as applied to dogs, with the 30-day period referenced in s. 95.21 (2) (a), Stats.? Given the agency’s intent as described in its plain language analysis, it appears s. ATCP 10.80 (1) (intro.) should also be amended to recognize the statutory treatment of dogs imported into the state.