

Report From Agency

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

IN THE MATTER OF RULEMAKING : REPORT TO THE LEGISLATURE
PROCEEDINGS BEFORE THE : CR 16-092
DEPARTMENT OF SAFETY :
AND PROFESSIONAL SERVICES :

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 proposed rules reflect the provisions of 2015 Wisconsin Act 327, which replaced the term “retail supplier” with the term “retailer” and changed the financial responsibility requirements for retailers of liquefied petroleum gas.

Current rules authorize a person applying for or holding a liquefied gas supplier or liquefied gas supplier – restricted license to have either 1) a surety bond, 2) an irrevocable letter of credit, or 3) commercial general liability insurance as the proof of financial responsibility required under s. 101.16, Stats. The proposed rule amends s. SPS 305.73 to reflect the provisions of 2015 Wisconsin Act 327, which, effective October 1, 2016, eliminated the first 2 options listed above. Under the Act, a person applying for or holding a liquefied gas supplier or liquefied gas supplier – restricted license is required to have commercial general liability insurance.

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

The Department of Safety and Professional Services held a public hearing on January 31, 2017. The Department did not receive any written or verbal comments at the hearing.

Robert DuPont, representing the Alliance for Regulatory Coordination, provided written comments in support of the proposed rules.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All Legislative Council recommendations have been incorporated into the proposed rule.

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

N/A