

To: Wisconsin Legislature
From: Secretary Anne Sayers
Date: March 31, 2023
Re: Administrative Rules Review Report

Wisconsin Stat. § 227.29 requires each agency to review its administrative rules every two years and submit a report to the legislature. In short, Wis. Stat. § 227.29 requires an agency to identify whether its rules fall under any of five categories:

§ 227.29 Agency review of rules and enactments.

(1) By March 31 of each odd-numbered year, each agency with any rules published in the code shall submit a report to the joint committee for review of administrative rules listing all of the following rules promulgated or otherwise administered by that agency:

- (a) Unauthorized rules, as defined in s. 227.26(4)(a), together with a description of the legislation that eliminated the agency's authority to promulgate any such rule.
- (b) Rules for which the authority to promulgate has been restricted, together with a description of the legislation that restricted that authority.
- (c) Rules that are obsolete or that have been rendered unnecessary, together with a description of why those rules are obsolete or have been rendered unnecessary.
- (d) Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction, together with a citation to or the text of any such statute, regulation, or ruling.
- (e) Rules that the agency determines are economically burdensome.

Under the provision of this statute, the Department of Tourism identifies TOUR 4, the Film Production and Accreditation Program, is obsolete as the tax credits referenced in Tour 4.10 were eliminated under a previous biennial budget. Thus, under § 227.29 (c), the Department determines Tour 4 to be obsolete, but not entirely unnecessary. Given the value of promoting Wisconsin through film tax credits to the state's economy and the potential that the program is reinstated, the Department does not currently plan to repeal the rule at this time.

Wisconsin Governor Tony Evers

Wisconsin Department of Tourism Secretary Anne Sayers

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