

Modifications From Agency

REPORT TO LEGISLATURE

NR 500, 502, 520 and 530, Wis. Adm. Code

Board Order No. WA-11-19
Clearinghouse Rule No. 21-041

Germane Modifications

While the proposed rule CR 21-041 was under review by the Joint Committee for Review of Administrative Rules (JCRAR), JCRAR expressed concerns about two provisions of the proposed ch. NR 530. On April 13, 2022, the department recalled the proposed rule to make germane modifications to address these concerns in accordance with s. 227.19(4)(b)4., Wis. Stats.

The department has made the following germane modifications:

1. Deleted s. NR 530.04 (2), which was a list of devices that meet the definition of computer peripheral, and renumbered accordingly.
2. Added a note to NR 530.11 confirming this section applies only to retailers meeting the definition in s. 287.17(1)(n), Wis. Stats.
3. Changed “shall” to “may” in the introduction of s. NR 520.11 (2), which lists steps retailers can take to comply with customer education requirements.
4. Deleted s. NR 530.11 (2) (b), the requirement for retailers to provide training to employees, and renumbered accordingly.

Resubmittal of the Proposed Rule

The department resubmits the proposed rule pursuant to s. 227.19(4)(b)4., Stats., with germane modifications.

Brief Timeline Review

- November 22, 2021 – The department submitted the proposed rule to the chief clerk of each house of the legislature.
- January 7, 2022 – The proposed rule was referred to JCRAR from the Senate with no action taken.
- January 12, 2022 – The Assembly Committee on Environment held a public hearing on the proposed rule.
- February 14, 2022 – The proposed rule was referred to JCRAR from the Assembly.
- April 7, 2022 – JCRAR and the department met to discuss revisions to the proposed rule.
- April 13, 2022 – The department recalled the proposed rule for germane modifications pursuant to s. 227.19(4)(b)4., Stats.