

STATE OF WISCONSIN
CONTROLLED SUBSTANCES BOARD

IN THE MATTER OF RULE-MAKING	:	NOTICE OF TIME PERIOD
PROCEEDINGS BEFORE THE	:	FOR COMMENTS FOR THE
CONTROLLED SUBSTANCES BOARD	:	ECONOMIC IMPACT ANALYSIS
	:	

NOTICE IS HEREBY GIVEN of the time period for public comment on the economic impact of this proposed rule of the Controlled Substances Board relating to measurements of controlled substances for purposes of special use authorizations, including how this proposed rule may affect businesses, local government units and individuals. The comments will be considered when the Department of Safety and Professional Services prepares the Economic Impact Analysis pursuant to § 227.137. Written comments may be submitted to:

Sharon Henes, Administrative Rules Coordinator
Division of Policy Development
Department of Safety and Professional Services
PO Box 8935
Madison, WI 53708-8935
Sharon.Henes@wisconsin.gov

The deadline for submitting economic impact comments is October 29, 2015.

PROPOSED ORDER

An order of the Controlled Substances Board to amend CSB 3.04 (6) (a) and (b) and 3.07 (1) (c) relating to measurements of controlled substances for purposes of special use authorizations.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: s. 961.335, Stats.

Statutory authority: s. 961.335(8), Stats.

Explanation of agency authority:

The controlled substances board may promulgate rules relating to the granting of special use permits including, but not limited to, requirements for the keeping and disclosure of records other than those that may be withheld under sub. (7), submissions of protocols, filing of applications and suspension or revocation of permits. s. 961.335(8), Stats.

Related statute or rule: CSB 3

Plain language analysis:

This rule indicates the controlled substances are to be measured in total weight in grams for solid controlled substances and in volume and concentration for liquid controlled substances for purposes of inventory list, records and application purposes.

Summary of, and comparison with, existing or proposed federal regulation:

Federal regulations require any person who possess, manufactures, distributes or dispenses any controlled substances to register with the U.S. Department of Justice, Drug Enforcement Administration, Office of Diversion Control.

Comparison with rules in adjacent states:

Illinois: Illinois controlled substance license (other) does not indicate a requirement for total weight or volume of the controlled substances for purposes of inventory list, records or application process.

Iowa: Iowa registration for independent activities does not indicate a requirement for total weight or volume of the controlled substances for purposes of inventory list, records or application process.

Michigan: Michigan licenses for controlled substances do not indicate a requirement for total weight or volume of the controlled substances for purposes of inventory list, records or application process.

Minnesota: Minnesota controlled substance registration does not indicate a requirement for total weight or volume of the controlled substances for purposes of inventory list, records or application process.

Summary of factual data and analytical methodologies:

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

Fiscal Estimate and Economic Impact Analysis:

The department is currently soliciting information and advice from businesses, local government units and individuals in order to prepare the Economic Impact Analysis.

Effect on small business:

Agency contact person:

Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8935, Madison, Wisconsin 53708; telephone 608-266-2377; email at Sharon.Henes@wisconsin.gov.

TEXT OF RULE

SECTION 1. CSB 3.04 (6) (a) and (b) are amended to read:

CSB 3.04 (6) (a) An inventory listing the total weight in grams if solid, or volume and concentration if liquid of each controlled substance in the lab or intended for purchase for the lab.

CSB 3.04 (6) (b) Whenever the lab purchases or otherwise adds to its inventory a new controlled substance or an additional amount of a controlled substance that was not previously authorized in a permit, an amended SUA application that includes the total weight in grams if solid, or volume and concentration if liquid for each such new or additional substance.

SECTION 2. CSB 3.07 (1) (c) is amended to read:

CSB 3.07 (1) (c) The total weight in grams if solid, or volume and concentration if liquid of each controlled substance on hand.

SECTION 3. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)
