



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Secretary Randy Romanski

ATCP 72 RULE REVISION ADVISORY COMMITTEE MINUTES

October 31, 2023

The ATCP 72 Rule Revision Advisory Committee met via Zoom on October 31, 2023. The meeting was preceded by public notice as required by Wis. Stat. §19.84.

Call to Order

Ted Tuchalski began the meeting at 1:00 p.m.

Members Present

Andrew Dietz, Bill Elliot, Trista Groth, Jason Hager, Jim Kaplanek, Jason Kjeseth, Craig Kratcha, Cori Lamont, Brandon McConnell, Melissa O'Neill, Emily Schnieder, Amy Springer, Greg Stillman, Ted Tuchalski

Guests Present

Brian Becker, Mary Ellen Bruesch, Jay Kozlowski, Andrea Northwood, John Prohaska, Matt McKay, Reed McRoberts, Linda Zillmer

Minutes

Public Appearances

Linda Zillmer submitted comments to the committee regarding the rule revision process and tourist rooming houses.

The comments included:

- Request for public access to the agendas, materials, and recordings for each ATCP 72 Rule Revision Advisory Committee meeting. A comparison was made to county boards or committees that post the materials on their websites.
- Considerations regarding the impact of tourist rooming houses on rural communities ranging from housing availability, housing prices, traffic, parking or noise complaints, and the potential impact on the area groundwater.
- Concerns regarding the proposed definition of private well water and private onsite wastewater treatment system.

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Definitions

Ted Tuchalski provided a brief overview of the formatting process used to draft administrative rule language in the *Administrative Rules Procedures Manual*.

Ted Tuchalski presented draft language for ATCP 72.03 Definitions, which included 97 definitions.

The following edits were suggested:

- Cross reference SPS 381.01(6) and SPS 381.01(7) for definitions of an “air-gap.”
- Expand “bunk” to “bunk bed” in the definition of “bed.”
- Expand “bunk bed” to include 30 inches off the floor as stated in 16 CFR 1513.2.
- Cross reference ATCP 79 for the definition of “camping cabin” and “recreational vehicle.”
- Expand UL to Underwriters Laboratories and include similar language to Wis. Stat. §101.149(2)(d) regarding a “similar mark from an independent product safety certification organization.”
- Reword the meaning of “exclude.”
- Include ramps in the definition of “handrail.”
- Possible confusion using “short term rental” and the definition established in Wis. Stat. §66.0615(1)(dk).
- Include screened and add lodging facility to the definition of “porch.”

A request was also made to consider how “special event lodging” and “specialty lodging” will be addressed, if at all, in the rule revision.

Upcoming Meeting Dates

The next two meetings will be held on November 28, 2023 and January 30, 2024.

The December 26, 2023 meeting was canceled.

Adjournment

Ted Tuchalski concluded the meeting at 2:51 p.m.