

STATE OF WISCONSIN  
OPTOMETRY EXAMINING BOARD

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

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NOTICE IS HEREBY GIVEN of the time period for public comment on the economic impact of this proposed rule of the Optometry Examining Board relating to organization of the board, 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 8366  
Madison, WI 53708-8366  
[Sharon.Henes@wisconsin.gov](mailto:Sharon.Henes@wisconsin.gov)

The deadline for submitting economic impact comments is October 1, 2015.

PROPOSED ORDER

An order of the Optometry Examining Board to repeal ch. Opt 2 relating to organization of the board.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:** s. 15.08(5)(b), Stats.

**Statutory authority:** s. 15.08(5)(b), Stats.

**Explanation of agency authority:**

Under 15.08(5)(b), Stats, each examining board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

**Related statute or rule:** s. 15.08, Stats.

**Plain language analysis:**

Section 1 repeals chapter Opt 2. Chapter Opt 2 was repealed and recreated in 1971. These rules for governing the board are now duplicative or obsolete. The statutes provide for election of officers and for frequency of meetings. The board, specifically the secretary of the board, does not receive the voucher for membership in the international association of boards. The Board may send a delegate to a meeting without specifying in rule and the statute.

**Summary of, and comparison with, existing or proposed federal regulation:** None

**Comparison with rules in adjacent states:**

**Illinois:** Illinois statutes provide for the election of chairperson and vice-chairperson of the board. Membership in associations is not addressed in statutes or rules.

**Iowa:** Iowa statutes provide for the election of chairperson and vice-chairperson of the board. Iowa statutes allow each board to maintain a membership in the national organization of the regulatory boards of its profession to be paid from board funds.

**Michigan:** Michigan statutes provide for the election of chairperson and vice-chairperson of the board. Membership in associations is not addressed in statutes or rules.

**Minnesota:** Minnesota statutes provide for the election of a president, vice president and secretary. Membership in associations is not addressed in statutes or rules.

**Summary of factual data and analytical methodologies:**

In reviewing the rules, the Board determined this chapter is obsolete or duplicative. The chapter was created in 1971.

**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.

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TEXT OF RULE

SECTION 1. Chapter Opt 2 is repealed.

SECTION 2. 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.

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(END OF TEXT OF RULE)

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