



State of Wisconsin  
Governor Tony Evers

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**Department of Agriculture, Trade and Consumer Protection**  
Secretary-designee Randy Romanski

**DATE:** March 4, 2021

**TO:** Board of Agriculture, Trade and Consumer Protection

**FROM:** Randy Romanski, Secretary-designee  
Krista Knigge, Administrator, Division of Agriculture Development

**SUBJECT: ATCP 149, (Potato Industry)**

**PRESENTED BY:** Sharon Henes, Program Policy Analyst, Division of Agriculture Development

**REQUESTED ACTION:**

At the March 4, 2021, Board meeting, the Department will request approval of a preliminary hearing and comment period for the attached scope statement, regarding ch. ATCP 149 relating to the potato industry.

**SUMMARY:**

The objective of the proposed rule is to repeal or modify ATCP 149.10 which specifies the process for suspending operations under the Wisconsin Potato Industry Act. 1991 Wisconsin Act 39 repealed the Wisconsin Potato Industry Act, therefore, this provision is obsolete.

The Department anticipates that the Joint Committee for Review of Administrative Rules will direct DATCP to hold a preliminary public hearing and comment period, pursuant to Wis. Stat. § 227.136 (1).

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**State of Wisconsin  
Department of Agriculture, Trade and Consumer Protection**

**NOTICE OF PUBLIC HEARING AND COMMENT PERIOD FOR SS -21**

**Permanent Rule Regarding Potato Industry**

The Wisconsin Department of Agriculture, Trade and Consumer Protection (Department) announces that, pursuant to Wis. Stat. § 227.136 (1), it has been ordered by the Joint Committee for the Review of Administrative Rules to hold a preliminary public hearing and comment period on its proposed revised statement of scope pertaining to Wis. Admin. Code s. ATPC 149.10 regarding potato industry.

The Department will hold the public hearing at the time and place shown below. The Department invites the public to attend the public hearing on the proposed statement of scope or to provide comments on the proposed statement of scope no later than April 1, 2021. Written public comments may be sent to the Division of Agriculture Development, Department of Agriculture, Trade and Consumer Protection, P.O. Box 8911, Madison, WI 53708-8911 or by e-mail to [Sharonm.Henes@wisconsin.gov](mailto:Sharonm.Henes@wisconsin.gov).

**Hearing Date and Location:**

Thursday, March 25, 2021

Commencing at 1:30 PM

Teleconference: Join ZoomGov Meeting <https://www.zoomgov.com/j/1612831558>

Meeting ID: 161 283 1558

One tap mobile

+16468287666,,1612831558# US (New York)

You may obtain a copy of the Statement of Scope for this proposed rule by contacting the Wisconsin Department of Agriculture, Trade and Consumer Protection, Office of the Secretary, P.O. Box 8911, Madison, Wisconsin 53708-8911. You may also obtain a copy by contacting the division program policy analyst, Sharon Henes, at [Sharonm.henes@wisconsin.gov](mailto:Sharonm.henes@wisconsin.gov) or by calling (608) 381-2808. To view the statement of scope online, go to:

Hearing-impaired persons may request accommodation for this hearing. Please make reservations by March 23, 2021, by writing, calling, or emailing the program policy analyst, Sharon Henes.

Dated this \_\_\_\_ day of March, 2021

STATE OF WISCONSIN,  
DEPARTMENT OF AGRICULTURE, TRADE  
AND CONSUMER PROTECTION

By \_\_\_\_\_

Randy Romanski, Secretary-designee