

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE RULE 98-012

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

1. Statutory Authority

In ss. HAS 3.02 and 3.03, “may” should be replaced with “shall” since s. 459.06 (2), Stats., requires that specified subjects be included in the examination. If the drafter wishes to express that additional subjects may be included, the introduction could read: “The written examination shall cover, but need not be limited to, the following subjects:”.

2. Form, Style and Placement in Administrative Code

- a. In s. HAS 1.01 (2a) (a), “~~intern~~” should be replaced with “~~interns~~”.
- b. In s. HAS 4.03 (1), “~~June 19, 1969~~” should be inserted before “January 12, 1996”. Also, “Khz” should be replaced with “KHz”.
- c. In s. HAS 6.09 (1), is par. (b) repealed and recreated or does the drafter intend to retain current par. (b)?
- d. In s. HAS 7.05, “(intro.)” should be inserted after “(1)” and “(2)” in the treatment clause and in the text of the rule.

4. Adequacy of References to Related Statutes, Rules and Forms

- a. In s. HAS 3.02 (3), “of the Wisconsin Statutes” should be replaced with “, Stats.”.

b. In the Note to s. HAS 6.09 (2) (p), it would be helpful to cite ss. 146.81 to 146.84, Stats., instead of the general cite to ch. 146, Stats.

c. In s. HAS 7.03 (2) (b), a period should be inserted after “15” and an underscored period should be inserted after “68v”.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. HAS 1.01 (4), should “trainee permit” instead of “permit” be defined? It appears that “permit” is not used in the following chapters.

b. In s. HAS 2.01 (3), who decides what is “sufficient cause”?

c. In s. HAS 2.01 (4), it is unclear what the distinction between par. (a) and par. (b) is. According to the definition of “trainee,” a student who holds a trainee permit is a trainee. Please clarify.

d. In s. HAS 2.02, should “credential” be replaced with “trainee permit”?

e. In s. HAS 3.01 (1), it would be helpful to insert “for a hearing instrument specialist license” after “An applicant”.

f. In s. HAS 3.01 (3), the “or” before “practical” should be deleted.

g. In s. HAS 3.03 (2), “and use of equipment commonly employed in the fitting and selling of hearing instruments and taking of ear mold impressions” is not helpful and should be deleted.

h. In s. HAS 3.03 (2) (f), a hyphen should be inserted after “Post”.

i. In s. HAS 3.04, “identifying” is redundant and should be deleted.

j. In s. HAS 3.05, “from the examination room” should be moved to the end of the sentence.

k. In s. HAS 3.06, “credential” should be replaced with a more specific term.

l. In s. HAS 3.07, “for the examination parts” should be replaced with “for completion of each part of the examination”.

m. In s. HAS 3.08 (2), a comma should be inserted after “reapplication”.

n. In s. HAS 3.09 (1), “must” should be replaced with “shall”.

o. In s. HAS 3.09 (2) (intro.), “will” should be replaced with “shall”. A comma should be inserted after “office”. Also, the material is not correctly drafted as an (intro.). It should be par. (a) and the remaining paragraphs should be renumbered.

- p. In s. HAS 3.09 (2) (a), “whatsoever” should be deleted.
- q. In s. HAS 3.09 (2) (d), “will not be allowed to” should be replaced with “may not”.
- r. In s. HAS 3.09 (4), who retains the comments?
- s. In s. HAS 3.10, “alleged” should be inserted before “to be in error”.
- t. In s. HAS 4.02 (1), “pre-and-post” should be replaced with “pre- and post-”.
- u. In s. HAS 4.04, “should” should be stricken and “shall” should be inserted.
- v. In s. HAS 5.02 (2) (dm) 3., perhaps the legibility requirement could be incorporated into par. (dm) (intro.). The word “legibly” could be inserted after “information” in par. (dm) (intro.) and subd. 3. could be deleted.
- w. In s. HAS 6.02 (10), “(“CCC”)” should be deleted. Alternatively, the acronym could be defined and “certificate of clinical competence” could be replaced with “CCC”.
- x. In the Note to s. HAS 6.05, the quotation marks should be deleted.
- y. In s. HAS 6.08 (1) (d) 1. and 2., “submit” is redundant and should be deleted.
- z. Section HAS 7.05 (1) (intro.) and (2) (intro.) should end with a colon.