



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 09-029

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]

2. Form, Style and Placement in Administrative Code

a. Section Comm 5.627 (4) (b) should specify how long the records referred to must be maintained.

b. Section Comm 5.627 (5) (a) should be reworded to make clear that a person may *apply* for a renewal of his or her registration.

c. In s. Comm 16.002 (1), the word “covers” should be replaced by the phrase “applies to.” [See also sub. (2) (intro.).]

d. In s. Comm 16.003 (4) (a), the phrase “this code” should be replaced by the phrase “this chapter.” The entire rule should be reviewed for instances in which the word “code” is used to refer to ch. Comm 16, as opposed to a code incorporated by reference, and the word “code” should be replaced by the word “chapter.”

e. In the treatment clauses to SECTIONS 21 and 22, the notation “Comm” should precede the renumbered provisions.

f. In s. Comm 16.011 (1) (c), the word “The” should be replaced by the word “A.”

g. In s. Comm 16.012 (2) (intro.), the phrase “all of” should be inserted before the phrase “the following information.”

h. In s. Comm 16.013 (2) (b) (intro.), the phrase “all of the following apply” should be inserted after the word “inspection.”

i. In s. Comm 16.010 (4) (b) and (c), “will” should be replaced with “shall”.

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

a. It appears that the “Notes to Code Editor” indicating which material is included in subchapters II-IV all mistakenly refer to Subchapter I.

b. What is meant by “the standard that is referenced in this chapter,” in s. Comm 16.003 (1)?

c. In s. Comm 16.003 (4) (a) and (b), as well as elsewhere in the rule, it is not necessary to cite the statutory provisions that authorize various requirements or prohibitions established by the rule.

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

a. In the rule preface description of Minnesota law, the phrase “responsible of” should be replaced by the phrase “responsible for.”

b. In the rule preface discussion of the rule’s effect on small business, the word “as” should be inserted after the phrase “establishments as well” in the first sentence. Also, the fifth sentence should conclude with the word “programs.”

c. Section Comm 5.63 (5) (b) should specify when an inspector must contact the entity furnishing electrical current regarding a dwelling that has been inspected.

d. Throughout the rule, should the term “electrical wiring installation” be used instead of “electrical installation,” since the term “electrical wiring” is defined in the rule?

e. Section Comm 16.003 (6) should specify that installations must be maintained *to conform to* the applicable electrical code.

f. In s. Comm 16.010 (3) (d) 2., the last occurrence of the word “to” should be replaced by the word “with.”

g. In s. Comm 16.010 (5), “to plans approved under this section” should be inserted after “modifications.”

h. Section Comm 16.011 (1) (a) 4. should indicate whether a municipality that has been granted a variance under s. Comm 16.003 (4) (b) will be considered to be in compliance with the requirement to adopt the chapter in its entirety.

i. In s. Comm 16.012 (1) (a), how is one to ascertain which agency has been designated by the department to provide electrical inspections for an installation?

j. Section Comm 16.013 should clearly state that all electrical wiring installations serving farms, public buildings, and places of employment must be inspected.

k. Section Comm 16.013 (2) (c) 2. should specify who is responsible for providing the notice referred to and to whom it must be provided.

l. In s. Comm 16.013 (2) (d) 2., a period should be inserted after the word “issued” and a new sentence should begin with the phrase “An order may.”

m. Section Comm 16.020 (3) should specify how to determine which of the requirements--chapter Comm 16 or PSC 114--an installation must comply with.

n. In the treatment clause for SECTION 28, the word “is” should be replaced by the word “are.”