WISCONSIN LEGISLATIVE COUNCIL
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CLEARINGHOUSE RULE 16-093

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 December 2014.]

2. Form, Style and Placement in Administrative Code

a. In SECTION 4, par. (g), it appears that the word "a" should be struck before the insertion of "any other" and "does not involve" should be struck before the insertion of "only involves". Similarly, should material in par. (f) relating to citation to 2011 statutes also be stricken?

b. Throughout the proposed rule, the department should consider whether all instances of renumbering are necessary. For example, why must the department create its definitions in s. SPS 316.006, having renumbered the existing provision? Is the renumbering in SECTION 40 necessary?

c. In SECTION 22, excess text characters appear in s. SPS 316.007 (1) (a).

d. Throughout the proposed rule, the department should review the rule organization for excessive use of rule subdivisions. For example, in s. SPS 316.013 (3), pars. (c) and (d) offer no introductory material and instead are immediately subdivided.

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

a. In the proposed definition of "One- and 2-family dwelling", it appears that the phrase would be more grammatically accurate if "and" were replaced with "or". Similarly, throughout the proposed rule, the department should review whether the rule text accurately differentiates between references to "one- or 2-family dwelling" and "one- and 2-family dwellings" based on the context surrounding each reference.

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b. In SECTION 20, under sub. (1) and (2), the department should consider rewording "approved in writing by a petition for a variance issued by the department" to something to the effect of "approved in writing by the department in an approval of a petition for a variance". As worded in the proposed rule, the phrase may be confusing since an agency generally does not "issue" a petition for a variance.

c. The department should consider clarifying s. SPS 316.013 (3) (d) so that it does not appear to require the certified inspector to be the one to conceal and energize the wiring.