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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 94-189

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.]

2. Form, Style and Placement in Administrative Code

Section N 2.06 (1) is vague. It is not clear from the proposed modification to the rule what the exception applies to. Also, it is not clear from the rule what happens when an exception is granted. As an alternative, s. N 2.06 (1) might be modified in the following manner. The present sub. (1) could be renumbered sub. (1) (a). The last sentence of the current sub. (1) could then be rewritten to provide “Except as provided in par. (b), an applicant for a temporary permit shall schedule and take the examination prior to the expiration date of the temporary permit.” Paragraph (b) could then be created as follows:

(b) An applicant for a temporary permit who is unable to take or complete a scheduled examination prior to the expiration of the temporary permit because of the illness of the applicant, the illness or death of a family member of the applicant, an accident or a natural disaster, may renew the temporary permit as provided under sub. (4) (b) if the applicant files an affidavit with the board identifying the reason that the applicant was unable to take or complete the scheduled examination.

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

Must an applicant who fails to take or complete the application prior to the expiration of the temporary permit reschedule and take the examination as soon as possible? The rule is not clear on this issue.