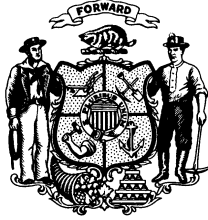


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CLEARINGHOUSE RULE 96-150

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

See comment 5. e. Issues of statutory authority may arise if the rule is intended to apply to registrants who register under SECTION 3 of 1995 Wisconsin Act 322.

2. Form, Style and Placement in Administrative Code

a. In s. RL 130.01, “, as created by 1995 Wisconsin Act 322,” should not be included. However, the reference to Act 322 in the department’s analysis is helpful and appreciated.

b. In s. RL 130.02 (2) (intro.), “listed under sub. (1)” should be inserted after the first “examination.” Also, both pars. (b) and (d) should be redrafted in the singular for consistency with pars. (a) and (c).

c. It is suggested that the first sentence of s. RL 130.02 (3) be redrafted as follows:

In order to pass an examination listed under sub. (1), an applicant shall receive a score determined by the department to represent minimum competence to practice.

d. It is suggested that ss. RL 130.03 and 130.04 be combined. The first subsection should consist of definitions and be redrafted along the following lines:

(1) In this section:

(a) “Approved educational program” means a program of education relating to the general subject matter of interior design that, together with its instructors, is approved by the American society of interior designers, the interior design continuing education council, the international interior design association, the interior design education council, the interior designers of Canada, or other body recognized by the department.

(b) “Hour” means 50 minutes of actual classroom instruction.

Subs. (1) to (3) of s. RL 130.03 and sub. (2) of s. RL 130.04 may be combined as follows:

(2) A registered interior designer shall attend and successfully complete at least 9 hours of an approved educational program before each renewal date. If a registered interior designer is initially registered less than 6 months before the first renewal date, the requirement of this subsection does not apply before the first renewal date.

e. In s. RL 130.03 (6) will a form be provided on which to make the certification? If so, see s 1.09 (2), Manual.

f. In s. RL 130.03 (7), reference to “registered interior designers” in the first sentence should be in the singular.

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

a. The title to s. RL 130.02 (1) contains a statutory reference. Note that titles to a unit of a rule are not part of the substance of the rule itself and that the statutory reference might therefore also be incorporated into the text of the rule. [See s. 1.05 (3) (a), Manual.]

b. In s. RL 130.03 (7), reference to “for the period specified in sub. (1)” is unclear in the context of the sentence in which it is located.

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

a. One may infer from s. RL 130.02 that the examination option referred to in s. 440.964 (1) (b), Stats., is not included in this rule. Is that the department’s intent? If not, the rule needs clarification.

b. A better way to state s. RL 130.02 (5) is: “There is no limit on the number of times an applicant may be reexamined.”

c. In ss. 130.03 and 130.04, reference to “approved educational programs” and “approved courses” should be reviewed for consistency of use.

d. In s. RL 130.03 (4), it is not clear on what basis a registered interior designer who instructs an approved educational program receives continuing education credits. For example, does a person teaching for one hour receive one hour of credit?

e. The rule and the analysis make no reference to the examination requirements of SECTION 3 of 1995 Wisconsin Act 322 or how the rule relates to those provisions.