

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 99-050

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 September 1998.]

2. Form, Style and Placement in Administrative Code

In SECTION 1 of the rule, the word “title” in the treatment clause should be in parentheses. In addition, the title “Chapter Comm 16” should be in all capital letters.

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

A reader might surmise, given the notes to s. Comm 16.63 (8), that s. 102.04 (3), Stats., is applicable to the interpretation of sub. (8). However, that is not clear from the substantive provision of sub. (8). Is s. 102.04 (3), Stats., applicable to sub. (8)? If so, an appropriate cross-reference should be included in sub. (8).

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

a. In s. Comm 16.63 (9), does a sole proprietor have to have an employe, or is the proprietor considered the employe? The rule should be clarified.

b. In s. Comm 16.64 (2) (a) 6., who are considered “new” inspectors? To what point in time does “new” refer? The rule should be clarified. [See s. 1.01 (9) (b), Manual.]

c. In s. Comm 16.65 (3) (b), independent inspection agencies must provide inspections “as required by the department.” Where and how are they “required”? In another rule provision? In separate orders from the department? The rule should be clarified.

d. In s. Comm 16.65 (4) (a) 2., is the rule intended to be limited only to “YMCA and YWCA” buildings? Does this imply that other shelter facilities that provide overnight accommodations are not covered?