

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



Terry C. Anderson
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 00-050

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.]

1. Statutory Authority

The rule, in s. A-E 4.05, adds a specific time period during which certain experience must be obtained. It should be noted that the statutes, in s. 44.304, do not contain a time restriction; the statutes only provide that the work be of a character satisfactory to the board.

Also, it appears that there are no exceptions to the time restrictions; e.g., birth of a child, active military duty. Is this intended?

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

a. In s. A-E 2.02 (8), the agency should clarify that the conditions in both pars. (a) and (b) must be met. This can be accomplished by rewriting the last phrase of sub. (8) (intro.) to read: “may be submitted if all of the following conditions are satisfied:”.

b. In s. A-E 6.04 (2) (a) and (b), the reference to the “state board of education” should be reviewed. Problems may arise where there is no such board (such as in Wisconsin). Also, the provision is ambiguous in that it is not clear whether the accrediting agency or the college or university is required to be approved by such a board.

c. In s. A-E 6.04 (2) (intro.), “done either of the following” should be inserted before the colon.

d. It appears that the reference in s. A-E 6.05 (3) (c) 4. and (d) 4. to the “department of industry labor and job development” should be changed to the “department of workforce development.”

e. The agency may wish to include an “initial applicability” provision in the rule to clarify the treatment of pending and future applications for licensure.