

RESPONSE TO LEGISLATIVE COUNCIL CLEARINGHOUSE REPORT

Department of Commerce

CLEARINGHOUSE RULE NO.: 07-008

RULE NO.: Comm 67

RELATING TO: Rental Unit Energy Efficiency

Agency contact person for substantive questions.

Name: Joe Hertel

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Legislative Council report recommendations accepted in whole.

☐ Yes

☒ No

1. Review of statutory authority [s. 227.15(2)(a)]

- a. ☒ Accepted
- b. ☐ Accepted in part
- c. ☐ Rejected
- d. ☐ Comments attached

2. Review of rules for form, style and placement in administrative code [s. 227.15(2)(c)]

- a. ☐ Accepted
- b. ☒ Accepted in part
- c. ☐ Rejected
- d. ☒ Comments attached

(Continued on reverse side)

3. Review rules for conflict with or duplication of existing rules [s. 227.15(2)(d)]

- a. ☒ Accepted
- b. ☐ Accepted in part
- c. ☐ Rejected
- d. ☐ Comments attached

4. Review rules for adequate references to related statutes, rules and forms [s. 227.15(2)(e)]

- a. ☒ Accepted
- b. ☐ Accepted in part
- c. ☐ Rejected
- d. ☐ Comments attached

5. Review language of rules for clarity, grammar, punctuation and plainness [s. 227.15(2)(f)]

- a. ☐ Accepted
- b. ☒ Accepted in part
- c. ☐ Rejected
- d. ☒ Comments attached

6. Review rules for potential conflicts with, and comparability to, related federal regulations [s. 227.15(2)(g)]

- a. ☒ Accepted
- b. ☐ Accepted in part
- c. ☐ Rejected
- d. ☐ Comments attached

7. Review rules for permit action deadline [s. 227.15(2)(h)]

- a. ☒ Accepted
- b. ☐ Accepted in part
- c. ☐ Rejected
- d. ☐ Comments attached

Response to Legislative Council Rules Clearinghouse Comments

Clearinghouse Rule No. 07-008: Comm 67 relating to rental unit energy efficiency

Review of rules for form, style and placement in Administrative Code:

2. b. The term “transfer” will be maintained under the definition section to be consistent with the statute definition, and the types of transfers that are covered or exempted will also be maintained under s. Comm 67.03 for clarification purposes.

Review of rules for clarity, grammar, punctuation and use of plain language in Administrative Code:

5.c. The rule for petition for variance will not be included under the general requirements relating to transfer since a petition for variance must establish an equivalency to the technical rule being petitioned and would not be an exemption from transfer.

5.v. Under s. Comm 67.10, the owner has an option to show the rental unit meets either the minimum prescriptive energy efficiency requirements specified under s. Comm 67.11 or the performance energy efficiency requirements specified under s. Comm 67.12.