

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## RULES CLEARINGHOUSE

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## CLEARINGHOUSE RULE 96-162

### 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**

a. In the statement of statutes interpreted preceding the rule analysis, it would be helpful to list the statutes in ascending numerical order.

b. In SECTION 1, the treatment clause should read: "HAS 4.03 is renumbered 4.03 (1) and amended to read:". Then, the first line of text under "PROPOSED ORDER" should be rewritten to read: "An order of the Hearing and Speech Examining Board to renumber and amend HAS 4.03, to amend 5.02 (2) (f) and . . . ." Also, the first line of text of the analysis should read: "In this proposed rule-making order, the Hearing and Speech Examining Board renumbers and amends . . . ." In the text of the new s. HAS 4.03 (1), "(1)" should not be underscored and "1969" should be inserted and stricken-through immediately following "ANSI S3.6" on line 3. Also, is it necessary to retain "approved June 9, 1969"?

c. It seems that the Note following s. HAS 4.03 (2) would be more appropriately placed after sub. (1).

d. In s. HAS 4.03 (2) (intro.), the word "must" should be changed to "shall." [s. 1.01 (2), Manual.]

e. In SECTION 5, instead of numbering the new subsection as "(4n)," it should be renumbered "(4r)" to allow for future insertions between subs. (4) and (5).

f. The second sentence of s. HAS 6.09 (2) (t) is unnecessary and should be deleted. Section HAS 6.02 (intro.) states that all of the definitions in that section apply throughout ch. HAS 6.

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

a. In the list of statutes authorizing promulgation of this rule, the reference to s. 227.11 (2) should be changed to s. 227.11 (2) (a).

b. Section HAS 5.02 (2) (f) refers to failing to maintain proper calibration of audiometric equipment as specified in s. 459.085, Stats. As a result of 1995 Wisconsin Act 170, s. 459.085, Stats. now requires that the requisite intervals for calibration be specified by rule by the Hearing and Speech Examining Board. That specification is set forth in this rule in the newly created s. HAS 4.03 (3). Therefore, the statutory reference in s. HAS 5.02 (2) (f) should be changed to refer instead to s. HAS 4.03 (3).

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

a. In s. HAS 4.03 (2) (c), it is unclear which combination of items the masking source must have. Is it narrow band noise and either white noise or speech noise capability? If so, the word “either” could be inserted before “white” for clarification.

b. In s. HAS 5.02 (2) (f), the comma which precedes the “of” and is currently stricken-through should be moved to follow the word “equipment” on line 2 and should not be stricken-through.

c. In s. HAS 6.02 (4n) (b) (intro.), the word “include” on line 3 should be changed to “includes”.