



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 03-087

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 2002.]

2. Form, Style and Placement in Administrative Code

a. In the rule analysis, the notation “(1) and (2)” should be added after “s. 443.10” because those specific subsections of the statute are the reciprocity and application provisions. Also, the rule analysis should specify that the rule only applies to professional engineers.

b. Section A-E 4.09 (1) (intro.) and (2) (intro.) specify the contents for “An application for original licensure” and for “an application for licensure by comity from another state.” However, the term “licensure” is not used in ch. 443, Stats., or ch. A-E 4. Instead, s. 443.10 (1) (a), (c), and (d), Stats., refers to a “certificate of registration,” a “certificate-of-record,” and a “permit to practice,” respectively, and s. 443.10 (2) (a) refers to “Applications for registration or for a certificate of record.” The terms used in the rule should be consistent with the terms used in the statute in order to clarify which types of “licensure” are affected by the rule. In the alternative, the department could define “licensure” in the rule to include the types of certification authorized by the statute.

c. In s. A-E 4.09 (1) (b), the phrase “or more” should be inserted after the number “3” in order to be consistent with s. 443.10 (2) (a), Stats.

d. Section A-E 4.09 (2) (a) requires “Verification of licensure” for an application for licensure by comity from another state. Section 443.10 (1), Stats., does not include the term “licensure.” Rather, s. 443.10 (1) (a), Stats., authorizes the examining board to grant a “certificate of registration...as a professional engineer to any person who holds an unexpired certificate of similar registration...,” under sub. (1) (b), to grant “a certificate of registration...as

a professional engineer to any person who holds an unrevoked card or certificate of national reciprocal registration,” or under sub. (1) (c), to “grant a certificate-of-record as engineer-in-training to any person who holds an unexpired certificate of similar certification...” It appears that the term “licensure” in s. A-E 4.09 (2) (a) should be replaced with the terms used in the statute in order to clarify which types of credentials should be submitted with an application for licensure by comity.