



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 09-116

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]

2. Form, Style and Placement in Administrative Code

a. In its fiscal estimate and SECTION 9 of the rule analysis, the department should explain the calculations used to estimate the fiscal effect of the proposed rule. How did the department reach its conclusions regarding the \$25,000 increase and \$703,000 decrease in plan review and inspection revenue expected under the proposed rule?

b. In s. Comm 2.68 (3) (a) 2., the phrase “Additional installation inspections, beyond one” is ambiguous. Does “beyond one” refer to the initial inspection, or to the first additional (in other words, second) inspection? The department should clarify its intent regarding which inspections are assessed fees in accordance with s. Comm 2.04 (2).

c. In SECTION 2 of the proposed rule, it is unclear why the department refers to “Table 2.31-1” above its amendment to s. Comm 2.68 (3) (d).

d. In SECTION 2 of the proposed rule, the department refers to s. Comm 2.68 (3) (d) in the treatment clause; however it refers to s. Comm 2.68 (1) (d) in the text of the rule. The correct reference appears to be s. Comm 2.68 (3) (d).

In Tables 2.68-1 and 2.68-2, the department does not need to underline “Type of Pool, Water Attraction or Equipment.” This phrase exists in the current tables.

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

In its fiscal estimate and SECTION 9 of the rule analysis, the department should include a description of the statutory obligation to establish fees equal to the cost of providing services, as described in SECTION 8 of the rule analysis.