



---

---

## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

---

---

**Ronald Sklansky**  
*Clearinghouse Director*

**Richard Sweet**  
*Clearinghouse Assistant Director*

**Terry C. Anderson**  
*Legislative Council Director*

**Laura D. Rose**  
*Legislative Council Deputy Director*

### CLEARINGHOUSE RULE 10-103

#### 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 the summary of the rule, the department should address the transfer of ch. Comm 60 to the Department of Natural Resources as the basis for certain sections of the rule.

b. In the summary of the rule, the department should clarify the sentence regarding lavatories in IBC section 1109.2.3. It appears a word or phrase was omitted from the summary.

c. In the summary of the rule, on page 5, the department should clarify the sentence regarding IEBC section 912.8.1. Did the department intend “provisions” for “provisos,” and to which “ss. 605 or 706” does the department refer? The punctuation following “706” should be clarified as well.

d. In the summary of federal regulations, the department should use periods to end each sentence describing federal regulations on accessibility requirements, and describing research in the federal register.

e. In s. Comm 2.31 (1) (i), the department should revise the sentence to read: “The fee for building, HVAC, and fire protection system plans resubmitted within eight months following denial of plan approval is \$250 per plan.” Additionally, the department should affirmatively state that fees for resubmission of any other plan or resubmission of plans at any other time shall be assessed under s. Comm 2.31 (1) (b), if that is an accurate description of the fees for such plans.

f. Throughout the rule, references to statutes and the administrative code in notes should use the same notation as references in the rule text. For example, use “s.” not “section” and “ch.” not “chapter,” unless the word begins a sentence, and “, Stats.,” not “of the Statutes.”

g. In s. Comm 62.0903 (5) (d) Note, the department should put the defined terms “community water system” and “municipal water system” in quotations separate from the quotations used to cite s. NR 811.02.

h. In s. Comm 62.1107 (2) (c), a space should be placed between “section” and “1107.6.3:”.

i. In s. Comm Table 1607.1, footnote J, subdivision “i.” should end with a period and “and” should be removed.

j. In s. Comm 62.1804 (3), the subsections should be rewritten with paragraphs that list each of the items to be excluded by the rule. For example, the rule would be clarified if stated:

“...differential settlement will not cause any of the following:

1. Harmful distortion of the structure.
2. Instability in the structure.
3. Any element to be loaded beyond its capacity.”

[See also s. Comm 66.0202 (2) (b).]

k. In s. Comm 62.3001 (1), the underscored material should follow the stricken-through material.

l. In s. Comm 62.3002 (1) (a), should the department refer to “Buildings with” instead of “Building”?

m. In s. Comm 64.0401 (4) (a), it appears the department erroneously omitted certain subdivisions following (4) (a) (intro.).

n. In s. Comm Table 64.0403, footnote k, the department should place an “s.” before the citation to s. Comm 64.0300.

o. SECTION 170 of the rule only should renumber s. Comm 65.0630 (2). Section Comm 65.0630 (intro.) should be amended in a separate section, as it does not appear to have been renumbered.

p. In s. Comm 66.0104, the phrase “shall be permitted to” should be replaced by the word “may.”

q. In s. Comm 66.0607 (2), the structure of par. (f) should be consistent with the structure of the remaining paragraphs.

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

- a. In the summary of the rule, on page 5, the department should refer to “economizers” in regard to s. Comm 63.0503.
- b. In the summary of the rule, on page 5, the department should place a semi-colon after “system” in regard to s. Comm 63.0503 and s. Comm Table 64.0403, and place “s.” before s. Comm Table 64.0403.
- c. In s. Comm 61.31 (1) (b) 3. note, the word “to” should be deleted.
- d. In s. Comm 62.0702 (3), the word “a” should be inserted before the word “public.”
- e. In s. Comm 66.0104, who can give approval to reuse equipment and devices?