



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 16-011

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 December 2014.]

1. Statutory Authority

Current s. FD 1.01 indicates that the statutory authority for the chapter is derived from ss. 15.08 (5) (b), 227.11, and 445.03, Stats. The proposed rule also cites s. 440.08 (3) (b), Stats., as providing authority for the new rule. This citation should be added to the authority and intent section under s. FD 1.01.

2. Form, Style and Placement in Administrative Code

a. Is there a rule provision that applies to reinstatement of a credential holder who has unmet disciplinary requirements, has not surrendered the credential or had it revoked, and who wishes to renew the credential within five years? Section FD 1.10 (3) appears to apply only to credential holders with unmet disciplinary requirements who fail to renew within five years or whose credential has been surrendered or revoked. Should ch. FD 1 contain a provision similar to s. Phar 5.04, as amended by CHR 15-081?

b. Section FD 4.04 (8) provides the acronym “APFSP” following reference to the Academy of Professional Funeral Service Practice. The acronym does not appear to be referenced elsewhere in ch. FD 4. If that is accurate, inclusion of the acronym is unnecessary.

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

Because s. FD 1.10 (3) relates to reinstatement and licensees with unmet disciplinary requirements, is it necessary to use the phrase “if applicable” at the end of s. FD 1.10 (3) (b)? Under what circumstances would evidence of completion of disciplinary requirements be inapplicable?