



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 19-099

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.]

2. Form, Style and Placement in Administrative Code

a. In proposed s. SPS 302.35 (1), the phrase “permit and inspection services” is unclear. For example, does the phrase mean “permit services” and “inspection services”? If so, what is a “permit service”? Based upon the information in s. SPS Table 302.35, it appears that the fees listed in the proposed rule are for the issuance of a permit and for inspection, not permit services. The department should review this phrase and revise accordingly. The phrase “permit and inspection services” is also used in s. SPS 316.011 (2) (a), Wis. Adm. Code, and could be revised for purposes of consistency.

b. The department should review use of the word “fees” throughout the proposed rule and replace it with the singular form of the word to clarify whether the rule applies to any fee. [s. 1.01 (9) (e), Manual.]

c. “Table 302.35-1”, and all cross-references to it in the proposed rule, should be revised to read “Table 302.35” as there is no other table in s. SPS 302.35.

d. The title for Table 302.35-1, “Permit Fees” should be amended to specify what type of permit fees are listed, such as “Commercial Electrical System Permit Fees”. For example, see the titles for SPS Tables 302.04, 302.12, 302.15, and 302.18, which all specify the types of fees listed in the respective tables.

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

a. In s. SPS 302.35 (2) (a), the phrase “installation of new or an addition to an” is grammatically incorrect. The department should review the intent of this phrase and revise accordingly. Additionally, the department should clarify that the total permit fee is the sum of individual fees listed in the table, or \$160, whichever is greater.

b. In s. SPS 302.35 (3), the term “inspection agency” is used but is not defined. This term is also not defined elsewhere in the code. The department should review the intent of this phrase and either define this term or use a different defined term.

c. The title in s. SPS 302.35 (5) is “REINSPECTION FEES”, but the text of sub. (5) uses the term “inspections”. The department should review the intent of this subsection and revise the terms accordingly.

d. Section SPS 302.35 (6) provides that a fee, or a portion thereof, may be refunded for a project that was abandoned. It is unclear, however, when a project is considered to have been abandoned and who may apply for the refund, or how the refunds are made. For example, s. SPS 302.07, Wis. Adm. Code, specifies how fee refunds determinations and payments are made. Does this provision also apply to electrical system fees? If so, the department should consider including a cross-reference to s. SPS 302.07, Wis. Adm. Code. The department should review the intent of sub. (6), and revise accordingly.