

Record of Committee Proceedings

Joint Committee for Review of Administrative Rules

Clearinghouse Rule 23-007

Relating to Commercial Building Code and affecting small business.
Submitted by Safety and Professional Services

August 10, 2023 Referred to Joint Committee for Review of Administrative Rules

September 29, 2023 **Executive Session Held by Paper Ballot**

Present: (10) Senator Nass; Representative Neylon; Senators Stroebe, Bradley, Roys and Larson; Representatives Petersen, Spiros, Conley and Baldeh.

Absent: (0) None.

Excused: (0) None.

Moved, that pursuant to s. 227.19 (5) (dm), Stats., the Joint Committee for Review of Administrative Rules indefinitely objects to **Clearinghouse Rule 23-007**, relating to the commercial building code, on the grounds that the rule fails to comply with legislative intent, conflicts with state law, and is arbitrary and capricious. In particular, the economic impact analysis prepared for the proposed rule fails to comply with legislative intent and conflicts with state law because it does not provide an analysis and detailed quantification of the implementation and compliance costs, expressed as a single dollar figure, that are reasonably expected to be incurred by or passed along to the businesses, local governmental units, and individuals that may be affected, as required by s. 227.137 (3) (b) 1., Stats. Because of the deficient economic impact analysis, the committee is unable to determine whether the rule imposes an undue hardship, which is an additional reason for objection the committee is authorized to consider.

Ayes: (6) Senator Nass; Representative Neylon; Senators Stroebe and Bradley; Representatives Petersen and Spiros.

Noes: (4) Senators Roys and Larson; Representatives Conley and Baldeh.

MOTION FOR INDEFINATE OBJECTION PASSED, Ayes 6,
Noes 4

Joe Zapf
Committee Clerk