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# Wisconsin Legislative Council

## RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 21-020

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]**

#### **2. Form, Style and Placement in Administrative Code**

In the analysis for the proposed rule, under the heading for related statutes or rules, the board should consider adding citations to the regular credentialing provisions for architects, landscape architects, professional engineers, engineers in training, professional land surveyors, and designers of engineering systems in ss. A-E 3.02 (1), 4.025 (1), 4.026, 5.05, 6.02 (1), and 9.02 (1).

#### **3. Conflict With or Duplication of Existing Rules**

The current administrative rules, in ss. A-E 3.02 (1), 4.025 (1), 4.026, 5.05, 6.02 (1), and 9.02 (1), specify the materials that an applicant must submit to apply for regular credentialing. As these materials are different from the information that must be submitted under the provision created in the proposed rule, in s. A-E 2.06 (2), the current text of s. A-E 3.02 (1) and each of the other regular credentialing provisions should be amended to add the phrase, “Except as provided in s. A-E 2.06 (2),”.

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

Section 440.09 (2) (a), Stats., requires an individual who is applying for a reciprocal credential to apply using a form prescribed by the Department of Safety and Professional Services or the credentialing board. Accordingly, s. A-E 2.06 should be revised to include a note to indicate where the form may be found or how it may be obtained. [s. 227.14 (3), Stats.; and s. 1.12 (3), Manual.]

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

a. In s. A-E 2.03 (3), consider inserting the word “written” before “request”, to read: “Upon written request from the board.”

b. In s. A-E 2.06 (1) (intro.), it appears that the word “all” should be revised to “any”. Also, it is unclear why the word “reciprocal” is used in that portion of the definition, as there is nothing in the list of credentials that indicates any aspect of reciprocity. Is the subsection intended instead to define the term “credential”, as used in that section?

c. In s. A-E 2.06 (2), the board should use the active voice in the sentence structure, to clearly identify who must do what at what time. For example, “the board shall grant a license to an applicant who meets...”. The board could likewise consider revising the provision to first identify the materials that an applicant must submit to apply for the reciprocal credential. Lastly, the board should specify whether the required application materials are in addition to or notwithstanding the materials that an applicant must submit under s. A-E 3.02 (1) and each of the other regular credentialing provisions.