

CERTIFICATE

**STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING**

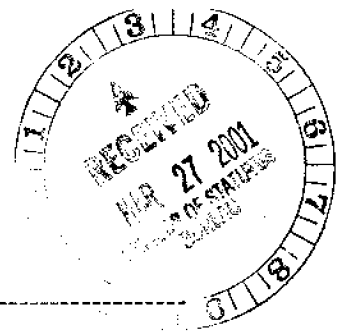
TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, William Conway, Acting Secretary, Wisconsin Department of Regulation and Licensing and custodian of the official records of the Department of Regulation and Licensing, hereby certify that the annexed rules were duly approved and adopted by the Department of Regulation and Licensing on the 22nd day of March, 2001.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 1400 East Washington Avenue, Madison, Wisconsin this 22nd day of March, 2001.

**William Conway, Acting Secretary,
Department of Regulation and
Licensing**



STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF RULE-MAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : DEPARTMENT OF REGULATION
DEPARTMENT OF REGULATION : AND LICENSING ADOPTING RULES
AND LICENSING : (CLEARINGHOUSE RULE 00-142)

ORDER

An order of the Department of Regulation and Licensing to amend RL 133.01 (3), 133.02 (1) and 135.02 (1) (b), relating to home inspector examination and continuing education requirements.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 227.11 (2) and 440.974, Stats.

Statutes interpreted: ss. 440.972 and 440.973, Stats.

Section RL 133.01 (3) is amended to state that the home inspector examination to be administered after January 1, 2001, will consist of two parts. Part I will consist of an examination on the Wisconsin statutes and administrative rules that relate to the practice of home inspection. Part II will consist of an examination relating to the principles and procedures relating to the practice of home inspection.

Section RL 133.02 (1) is amended to state that the department determines the passing grade on Part I of the examination by using subject matter experts and following procedures outlined in the rule. This is the case, because the department prepares Part I of the examination. However, since the department may prepare Part II of the examination or may simply approve an examination prepared by a testing agency, the department may determine the passing score for Part II by either using the procedures for Part I of the examination or by accepting the passing score recommendations of the testing agency.

Section RL 135.02 (1) is amended to remove "classroom" from the definition of "hour," as that term relates to continuing education programs and courses. This change will avoid a conclusion that was unintended when the current rule was drafted, that is that distance learning courses will not satisfy the continuing education requirements.

These proposed rules were developed with the advice and counsel of an advisory committee, created pursuant to 1997 Wisconsin Act 81 and consisting of 6 home inspectors and 3 public members.

TEXT OF RULE

SECTION 1. RL 133.01 (3) is amended to read:

RL 133.01 (3) On or after January 1, 2001, the department shall prepare ~~and~~ or approve ~~the required examination~~ a 2-part examination. Part I shall consist of an examination relating to the Wisconsin statutes and administrative rules that relate to the practice of home inspection. Part II shall consist of an examination relating to the principles and procedures that relate to the practice of home inspection.

SECTION 2. RL 133.02 (1) is amended to read:

RL 133.02 (1) To pass each examination part the applicant shall receive a grade determined by the department to represent the minimum competence to practice. The department shall determine the passing grade for part I of the examination after consultation with subject matter experts who have reviewed a representative sample of the examination questions and available candidate performance statistics, and shall set the passing grade for the examination at that point which represents minimum acceptable competence in the profession. The department shall determine the passing grade for part II of the examination in the same manner as for part I or the department may accept the passing grade recommendation of a testing agency whose examination has been approved by the department.

SECTION 3. RL 135.02 (1) (b) is amended to read:

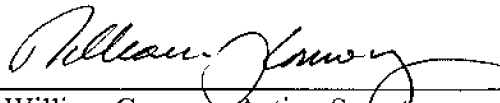
RL 135.02 (1) (b) "Hour" means 50 minutes of ~~classroom~~ instruction.

(END OF TEXT OF RULE)

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated 3/22/01

Agency


William Conway, Acting Secretary
Department of Regulation and Licensing



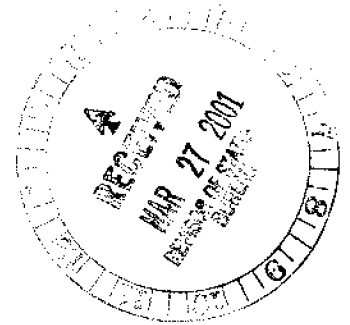
State of Wisconsin
DEPARTMENT OF REGULATION AND LICENSING
CORRESPONDENCE/MEMORANDUM

DATE: March 27, 2001

TO: Gary Poulson
Assistant Revisor of Statutes

FROM: Pamela A. Haack, Paralegal
Department of Regulation and Licensing
Office of Administrative Rules

SUBJECT: Final Order Adopting Rules



Agency: Department of Regulation and Licensing

Clearinghouse Rule 00-142

Attached is a copy and a certified copy of a final order adopting rules relating to home inspector examination and continuing education requirements.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.