

STATE OF WISCONSIN
Department of Safety and Professional Services

IN THE MATTER OF RULEMAKING PROCEEDINGS BEFORE THE
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

PROPOSED ORDER OF THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES
ADOPTING RULES
(CLEARINGHOUSE RULE)

The department is petitioning the Joint Committee for Review of Administrative Rules to repeal rules the department has determined to be unauthorized rules using the process under s. 227.26 (4), Stats.

PROPOSED ORDER

An order of the department to repeal ch. SPS 403.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

2017 Wisconsin Act 59

Statutory authority:

s. 440.52, Stats.

Explanation of agency authority:

2017 Wisconsin Act 59 eliminated the Educational Approval Board and transferred the duties to the Department of Safety and Professional Services. The statutory authority for Educational Approval was removed from s. 38.50, Stats., and inserted into s. 440.52, Stats.

Section 440.52 (3), Stats., states that, “the department shall promulgate rules and establish standards necessary to administer this section.”

Related statute or rule:

SPS 401 and SPS 404 through 411, Educational Approval program administrative code

EAB chapters 1 to 11 renumbered SPS 401, 403 to 411, *Administrative Register*, November 27, 2017 No. 743B

Plain language analysis:

Section 1 repeals SPS 403, which is a chapter that establishes the membership and procedure for the educational approval board, which no longer exists under the changes implemented by the 2017 Wisconsin Act 59.

Agency contact person:

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TEXT OF RULE

SECTION 1. SPS 403 is repealed.

SECTION 2. EFFECTIVE DATE. The rules repealed in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.)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.

(END OF TEXT OF RULE)
