



DATE: August 21, 2018

TO: Members, Joint Committee for Review of Administrative Rules
The Honorable Steve Nass, Co-Chair
The Honorable Joan Ballweg, Co-Chair

FROM: Nate Yahn, Legislative Advisor
Wisconsin Department of Safety and Professional Services

SUBJECT: Clearinghouse Rule 18-056 (rental unit energy efficiency program)

Co-Chairs Nass and Ballweg and Committee Members:

Thank you for the opportunity to testify in support of Clearinghouse Rule (CR) 18-056, the Wisconsin Department of Safety and Professional Services' (DPS) proposed final draft permanent rule relating to the rental unit energy efficiency program. This proposed rule repeals ss. SPS 302.35 and 305.67, and ch. SPS 367, and amends s. SPS 302.52 (2), which are no longer authorized pursuant to 2017 Wisconsin Act 59 that had eliminated the rental unit energy efficiency program, effective January 1, 2018.

CR 18-056 utilizes the new expedited process established under s. 227.26 (4), Stats., for repealing of unauthorized rules. Created by 2017 Wisconsin Act 108, this new process will allow for a more streamlined and efficient process to review and clean up obsolete rules existing in the Wisconsin Administrative Code.

With the repeal of ss. 101.19 (1g) (i) and 101.122 (2) (a) to (c), 2015 Stats., in 2017 Wisconsin Act 59, these particular rule provisions relating to the rental unit energy efficiency program are no longer authorized. As a result, on July 9, 2018, the Department submitted a petition to the Joint Committee for Review of Administrative Rules (JCRAR) for repeal of these unauthorized rules, which will bring DPS' administrative code into compliance with existing state statute.

If you have any questions, please contact me at (608) 267-9794.