



State of Wisconsin \ Department of Commerce

RULES in FINAL DRAFT FORM

Rule No.: Chapters Comm 2 and Others

Relating to: Plan Review Processing Times

Clearinghouse Rule No.: 06-119

RULE REPORT

Department of Commerce

Clearinghouse Rule No.: 06-119

Rule No.: Chapters Comm 2 and Others

Relating to: Plan Review Processing Times

Contact person for substantive questions:

Contact person for internal processing:

Name James Quast

Name James Quast

Title Program Manager

Title Program Manager

Telephone Number (608) 266-9292

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1. Basis and purpose of the proposed rule.

The existing plan review processing times specified throughout various department codes are based on receipt of all forms, fees, documents and information required to complete the review. This factor in determining the starting date of processing times is not compatible with the current procedure that permits individuals to schedule a plan review appointment over the Internet or by telephone. Under this appointment scheduling, plans and all the necessary documents are submitted to and received by the department any time before the appointment date. Without reflecting appointments in the processing rules, receipt of plans so far in advance of their appointment may result in exceeding the maximum allowable processing time even before the appointment date. The proposed rules are intended to clarify when the permit processing times begin, especially in light of plan review by appointment scheduling. The proposed rules also correct a typographical error in recently enacted rules pertaining to continuing education obligations for the renewal registrations as automatic fire sprinkler contractor-maintenance. The proposed rules will require 12 hours of continuing education instead of 24 hours.

2. How the proposed rule advances relevant statutory goals or purposes.

The proposed rule revisions clarify the plan review permit processing times relative to fulfilling the statutory mandate under s. 227.116, Stats.

3. Changes to the rule analysis or fiscal estimate that was prepared for public hearing.

The Summary of Proposed Rules now mentions the inclusion of amending three building plan review fee tables to correct an error.

FINAL REGULATORY FLEXIBILITY ANALYSIS

Department of Commerce

CLEARINGHOUSE RULE NO.: 06-119

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Final regulatory flexibility analysis not required. (Statement of determination required.)

The proposed rule revisions are clarifying in nature and will not have a significant economic impact on a substantial number of small businesses.

1. Reason for including or failing to include the following methods for reducing impact of the rule on small businesses: Less stringent compliance or reporting requirements; less stringent schedules or deadlines for compliance or reporting requirements; simplification of compliance or reporting requirements; establishment of performance standards to replace design or operational standards; exemption from any or all requirements.
2. Issues raised by small businesses during hearings, changes in proposed rules as a result of comments by small businesses and reasons for rejecting any alternatives suggested by small businesses.

RESPONSE TO LEGISLATIVE COUNCIL CLEARINGHOUSE REPORT

Department of Commerce

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Name: James Quast

Title: Program Manager

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Legislative Council report recommendations accepted in whole.

Yes

No

1. Review of statutory authority [s. 227.15(2)(a)]

a. Accepted

b. Accepted in part

c. Rejected

d. Comments attached

2. Review of rules for form, style and placement in administrative code [s. 227.15(2)(c)]

a. Accepted

b. Accepted in part

c. Rejected

d. Comments attached

(Continued on reverse side)

3. Review rules for conflict with or duplication of existing rules [s. 227.15(2)(d)]
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached
4. Review rules for adequate references to related statutes, rules and forms [s. 227.15(2)(e)]
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached
5. Review language of rules for clarity, grammar, punctuation and plainness [s. 227.15(2)(f)]
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached
6. Review rules for potential conflicts with, and comparability to, related federal regulations [s. 227.15(2)(g)]
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached
7. Review rules for permit action deadline [s. 227.15(2)(h)]
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached

**DEPARTMENT OF COMMERCE
SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE**

Clearinghouse Rule Number: 06-119		Hearing Location: Madison	
Rule Number: Chapters Comm 2 and Others		Hearing Date: December 19, 2006	
Relating to: Plan Review Processing Times			
Comments: Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
		No public hearing comments were received by the Department.	

**COMMENTS ON LEGISLATIVE COUNCIL
CLEARINGHOUSE REPORT**

Clearinghouse Rule No. 06-119

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5. The “appointment process” is readily understood by our customers who make use of the service typically through the division’s internet site.