

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## ***RULES CLEARINGHOUSE***

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## **CLEARINGHOUSE RULE 95-069**

### **Comments**

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]**

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

a. The analysis to the rule should include a statement of statutory authority for the rule and a statement identifying the statutes interpreted by the rule. [See s. 1.02 (2) (a), Manual.]

b. In s. ILHR 202.14 (1) and (2), the phrases “this rule” and “these rules” should be replaced by the phrase “this chapter.”

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

a. Does the agency intend that the “SECTION Notes” become part of the published rule? These do not appear to add to the understanding or comprehension of the rule.

b. What is the rationale for increasing the threshold levels for relocation assistance under s. ILHR 202.01 (33) (a) (intro.) by fivefold (\$5,000 level increased to \$25,000; 10% level of support increased to 50%)? It would appear that these new levels would have the effect of substantially reducing the amount of relocation assistance payments. If this is the case, it should be clarified in the analysis and reflected in the fiscal estimate prepared by the agency.

c. The second sentence of s. ILHR 202.14 (2) is somewhat unclear. It could be clarified by restating the provision to directly require a local unit of government to maintain all required records. For what length of time must the records be maintained? The agency may wish to review the provision that states that the department will not examine relocation assistance plans

“except for the purposes of monitoring.” As drafted, could this language be used to bar department actions based on the monitoring?

d. The agency may wish to include an initial applicability section in the rule to indicate how the rule will be implemented with respect to current relocation assistance issues.