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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 95-146

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. There are two pars. “(b)” in s. ATCP 116.01 (5).
- b. Section ATCP 116.01 (7) and (8) should be reversed, so that the defined terms are in alphabetical order.

3. Conflict With or Duplication of Existing Rules

In s. ATCP 116.01 (2), the definition of “employment service” is strikingly similar to the definition of “employment agent” contained in s. 105.01 (1), Stats. “Employment agents” are governed by the provisions of ch. 105, Stats., and are regulated by the Department of Industry, Labor and Human Relations under ch. Ind 77, Wis. Adm. Code.

It is suggested that the department review its rule to determine whether any conflict or overlap exists between proposed ch. ATCP 116 and ch. 105, Stats., and ch. Ind 77, Wis. Adm. Code. At a minimum, presuming no conflict or overlap exists, the definition of “employment service” should be amended to state that the definition does not include an “employment agent” under ch. 105, Stats.

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

In s. ATCP 116.03 (7) (e), a comma should be inserted after “benefits.”