

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE RULE 96-193

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

SECTIONS 1 and 2 of the rule should be restructured in the following format:

SECTION 1. Chapter RL 50 (title) and RL 50.01 and 50.02 are renumbered ch. RL 51 (title) and RL 51.01 and 51.02, and RL 51.02, as renumbered, is amended to read:

SECTION 2. RL 50.03 is repealed.

SECTION 3. RL 50.04 is renumbered RL 51.03.

SECTION 4. RL 50.05 is repealed.

SECTION 5. RL 50.06 is renumbered RL 51.04.

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

a. In s. RL 50.02, it is not clear whether the limit on sales applies to 10 sales of cemetery lots or mausoleum spaces or a combined total of 10. Use of the term “total” in the section would indicate the agency intends the provision to apply to a combined total of sales. However, in s. RL 50.03 (1) (e), a parallel provision omits the term “total” from the reference to the sales limit. This should be clarified in the final rule.

b. In s. RL 50.03 (1) (d), does the term “professional services” refer to services rendered in connection with cemetery operations or does it refer to any type of professional services? If the latter, to what type of professional services does the term refer?

c. Under s. RL 53.02 (3), as amended, is there a need to indicate how the applications will be “certified as accurate”?

d. In s. RL 54.05 (2), it appears that the word “that” following the word “stating” should be deleted, since it is not contained in the current text of the rule.

e. The agency may wish to consider a delayed effective date or initial applicability provision to assure compliance with the revised standards. In particular, it may be useful for applicants who must change their bonds from being payable to the state to being payable to the Department of Regulation and Licensing under s. RL 52.04 (2) (b).