



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 06-053

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 January 2005.]

2. Form, Style and Placement in Administrative Code

a. In SECTIONS 36 and 37 of the rule, the proper treatment of s. HFS 132.69 appears to be a repeal and recreate rather than the treatment that is in the rule.

b. In SECTION 39 of the rule, s. HFS 132.695 (4) (b) 2. d. and e. appear to be left untreated by the rule, perhaps they should be renumbered.

4. Adequacy of References to Related Statutes, Rules and Forms

a. In s. HFS 132.11, the word “and” should be inserted before the number “50.098.”

b. In s. HFS 132.14 (3) (a) 5., the term “insolvency” should be preceded by “in this subdivision.”

c. In s. HFS 132.14 (4) (b) 10., the notation “HFS” should be inserted after the notation “s.”

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

a. In the plain language analysis, it would be helpful to indicate which of the repealed provisions fall into category of “outdated,” “overly prescriptive,” or “duplicative.” Some of the items that are repealed, such as resident rights, are controversial if repealed unless they appear in some other provision of law.

b. In the plain language analysis, on page 3, in the list of provisions retained, ensure that the syntax is consistent with each bulleted item.

c. In the first paragraph on page 4 of the preface to the rule, insert semicolons after the phrase “resident rights” and the word “staffing.”

d. In the first paragraph of the description of the Minnesota rules, change the word “avoidable” to “unavoidable.” In the third paragraph, “with in” should be one word.

e. In the summary of factual data and analytical methodologies, second bullet point, delete the word “and” in the second line of the reference to the 2002 economic census.

f. In the summary of factual data and analytical methodologies, third bullet point, the word “reduces” revenues in the seventh line should be replaced by the phrase “revenues are reduced.” In the fourth bullet point, the word “contains” should be “contain.” In the fifth bullet point, the second sentence should read “the department examined” instead of “the department used.”

g. In s. HFS 132.14 (3) (a) 5., there should be a comma after the word “foreclosure.”

h. In s. HFS 132.16 (2) (b) 2., should the word “representatives” be “members”?

i. In s. HFS 132.695 (3), the word “wit” should be “with.”