



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 08-095

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]

2. Form, Style and Placement in Administrative Code

- a. The rule preface should follow the structure found in s. 1.02 (2), Manual.
- b. In s. DFI-Sec 4.06 (1) (w), the word “Chapter” should be replaced by the notation “ch.”. [See also s. DFI-Sec 5.06 (24).]
- c. Generally, the rule text should avoid the use of “including, but not limited to,” since it has the same meaning as “including.” [See s. 1.01 (7) (c), Manual.] Where the phrase is used prior to a list, the department should replace “but not limited to” with “any of” or “all of,” depending on the department’s intent.
- d. Section DFI-Sec 4.06 (2) (i) refers to sub. (1) (v). The latter provision is created in Clearinghouse Rule 08-077, but has not yet been formally promulgated. Consequently, the treatment clause should read: “SECTION 2. DFI-Sec 4.06 (2) (i), as affected by Clearinghouse Rule 08-077, is amended to read:”.
- e. The treatment clause of SECTION 4 creates ch. DFI-Sec 10 in its entirety. Thus, the treatment clause contained in SECTION 5 is unnecessary and should be deleted.
- f. Section DFI-Sec 10.02 (2) (intro.) should be rewritten to read: “The prohibited use of certifications or professional designations described in sub. (1) include any of the following:”. With the use of this structure, pars. (a) to (c) each should conclude with a period.

g. In s. DFI-Sec 10.02 (2) (a), “such” should be replaced by “the.” [See s. 1.01 (9) (c), Manual.]

h. In s. DFI-Sec 10.02 (3) (c), “and” should be replaced by “if” and “therefrom” should be replaced by “by the organization.” [See s. 1.01 (9) (c), Manual.]

i. In s. DFI-Sec 10.02 (4) (intro.), “shall” and “without limitation” should be deleted. [See s. 1.01 (7) (c), Manual.] Also, the use of the parenthetical notations should be replaced with commas.

j. In s. DFI-Sec 10.02 (4) (b), the phrase “those words” should be replaced by the phrase “the words in par. (a).”

k. Section DFI-Sec 10.02 (5) (intro.) should be renumbered as sub. (5) (b). The word “rule” should be replaced by “chapter.” The phrase “(a) or (b) below,” should be replaced by “of the following.” Section DFI-Sec 10.02 (5) (a) and (b) should be renumbered as sub. (5) (b) 1. and 2. Section DFI-Sec 10.02 (5) (c) should be renumbered as sub. (5) (a). “For purposes of” should be replaced by “In” and the phrases “The term” and “but is not limited to” should be deleted.

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

a. In s. DFI-Sec 10.02 (1), it appears that a hyphen should be inserted between “senior” and “specific” in order to match the style used in s. DFI-Sec 10.02 (title).

b. In s. DFI-Sec 10.02 (3) (intro.), “solely for the purposes of” should be replaced by “under” and “above” should be deleted.

c. In s. DFI-Sec 10.02 (6), “rule” should be replaced by “chapter.”