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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 10-062

#### 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. Generally, in the rule analysis, the readability of the summary could be improved by presenting the description of each section in separate paragraphs.
- b. On line 80 of the rule analysis, the department should use “Subsection (1)” instead of “Sub. 1”.
- c. On line 102 of the rule analysis, the department should replace “sec.” with “s.”
- d. In s. DFI-Sec 2.02 (5), the department should consider additional revisions that would align the style of the subsection with the preferred statutory drafting format, using periods to end paragraphs rather than semicolons.
- e. In s. DFI-Sec 2.02 (9) (c), the department should strike through “s. ~~551.102(11)~~.”
- f. In SECTION 10 of the proposed rule, the department should state “DFI-Sec 5.01 (4) (a) is repealed and recreated to read:”. A similar change is needed in SECTIONS 1, 15, and 16.
- g. The department should repeal and recreate s. DFI-Sec 5.01 (4) (a) in a manner that uses the preferred statutory drafting format, with periods to end clauses rather than semicolons. If necessary to achieve this format, the department may wish to use an introductory clause similar to the clause used in the current subsection.

h. Section DFI-Sec 5.06 (25) should be created in a manner that uses the preferred statutory drafting format, with periods to end clauses rather than semicolons or conjunctions. If necessary to achieve this format, the department may wish to use a revised introductory clause that permits this construction.

i. Section DFI-Sec 5.06 (25) (c) 4. (intro.) should read: “4. The requirements in subds. 1., 2., and 3. do not apply if the solicitor is any of the following:”.

j. Section DFI-Sec 5.13 (2) should be repealed and recreated in a manner that uses the preferred statutory drafting format, with periods to end clauses rather than semicolons. If necessary to achieve this format, the department may wish to use a revised introductory clause that permits this construction.

k. In s. DFI-Sec 8.03 (note), the department may wish to replace the deleted material with a reference to the Supreme Court rule referenced in the rule analysis.

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

a. It is unclear what is meant by “FINRA rule 3010 (g) (2)” in s. DFI-Sec 1.02 (7) (a). This term is not defined. Is it a reference to a federal regulation? If so, the code of federal regulations should be cited.

b. In s. DFI-Sec 4.04 (7) (d), “par.” should replace “sub.” in two places. In s. DFI-Sec 5.06 (25) (d) (intro.), “par.” should replace “subd.”

c. In s. DFI-Sec 5.06 (25) (e), “this rule” should be replaced by a phrase like “this section” or “this subsection”.