



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 10-083

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. In the plain language analysis, the first occurrence of the acronym “IHE” should be replaced by the phrase “institution of higher education (IHE).” The acronym should be used alone in later references to this term.

b. Section PI 34.01 (62) should be renumbered s. PI 34.01 (35m) so that the definition is in alphabetical order. Also, the period following “Stats” should not be stricken.

c. SECTION 15 should precede SECTION 14 because it affects a lower numbered section. In addition, SECTION 14 affects s. PI 34.16 (7) (h), not s. PI 34.17 (7) (h).

d. In several places in the rule-making order, the treatment clause is written to broadly affect a section although not all of the provisions of the section are affected. Although the intent of the drafter is clear, it is not proper drafting style and makes the rule-making order much longer.

e. In s. PI 34.32 (1), each occurrence of the word “through” should be replaced by the word “to.”

f. SECTION 38 should be numbered 40; SECTION 39 should be numbered 41; SECTION 40 should be numbered 39; and SECTION 41 should be numbered 38 to put them in the proper order.

g. In s. PI 34.32 (7) (d), the treatment clause should state that s. PI 34.32 (7) (d) (title) is amended and the text following the title may be deleted.

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

- a. In s. PI 34.18 (1) (b), “subchapter” should be replaced with “subch.” Also, “s. PI” should be inserted before “34.15 (4).”
- b. In s. PI 34.18 (2) (f) 1., “subchapter” should be replaced with “subch.”. This comment also applies to s. PI 34.23 (1).
- c. In s. PI 34.30 (2), each occurrence of the notation “pars.” should be replaced by the notation “par.”, since the cross-references are in the disjunctive form.
- d. In s. PI 34.28 (2) (intro.), “s.” should not be replaced with “ss.” Therefore, this entire section should be removed.

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

- a. In the last bulleted item of the discussion of Michigan law in the rule preface, the phrase “has a new legislation” should be replaced by the phrase “has new legislation.”
- b. In s. PI 8.01 (2) (a) 2. b., “instr5ctional” should be replaced with “instructional.”
- c. In s. PI 34.01 (1), a period should be inserted at the end of the sentence. This comment also applies to ss. PI 34.01 (23) and 34.15 (6) (a). Also, should the word “college” be inserted before the phrase “accrediting agency”? See s. PI 34.05 (4).
- d. In s. PI 34.01 (23), it appears that “under subchs. VII, VIII and IX” should be replaced with “under subch. VII, VIII, or IX.”
- e. In s. PI 34.05 (4), it appears that “meets comparable requirements under this chapter” would be clearer if written as “meets requirements comparable to those provided under this chapter.”
- f. In s. PI 34.16 (2), “that” should be inserted before “shall be valid until June 30.”
- g. In s. PI 34.18 (1) (d), it appears that “earned” could be deleted. In addition, “subchs.” should be replaced with “subch.”. The word “or” should be inserted after “VIII.” Also, should the word “administrator” be replaced by the word “administrative”? See ss. PI 34.11 (2) (c) and 34.17 (5).
- h. In s. PI 34.34 (1) (d), what is meant by the phrase “if he or she volunteers for that assignment”?
- i. In s. PI 34.34 (1) (b) (intro.), “done” should be inserted before “one of the following.” In subd. 1., the sentence should begin with “Completed” to have consistency in the text of the subdivisions.
- j. In s. PI 34.34 (3) (a) 4. b., “DHS” should be underscored and “HFS” should be inserted before “DHS.”
- k. In s. PI 34.34 (3) (b), it appears that the comma following “interpreters for the deaf” should be stricken. In addition, an underscored period should be inserted after “or i.”
- l. In s. PI 34.34 (3) (c) 1. b. and c., “1” should be written as “one.”

m. In s. PI 34.34 (4) (c), it appears that the new language is unnecessary. It is clear from pars. (a) and (b) that the license is non-renewable and that, consequently, a person must meet the general licensing criteria to receive the regular educational interpreter license.