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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 13-073

#### 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 November 2011.]**

#### **2. Form, Style and Placement in Administrative Code**

a. In the introductory clause, the department should revise the enumeration of provisions treated to conform to the style described in s. 1.02 (1) (Example). Generally, it is unnecessary to repeat “REEB” when multiple sections are treated in the same manner. For example, the department should write, “amend REEB 16.03 (1) (intro.) (a), (b), (e) and (2), 16.05 (1) and (2),...” rather than “amend REEB 16.03 (1) (intro.) (a), (b), (e), REEB 16.03 (2), REEB 16.05 (1) and (2),...”. Also, it is unnecessary to indicate the new provision when renumbering, and s. REEB 16.06 (8) should be listed as created in the enumeration.

b. In the portion of the rule analysis entitled, “Statutes interpreted” and “Statutory authority”, s. 452.07 (1m), Stats., should be listed, once, after s. 452.05 (1) (b), Stats.

c. In SECTION 3 and SECTION 7, the term “Note” should be placed in brackets. [s. 1.09 (2) (a), Manual.]

d. When creating three insertions, the alphabetic numbering is “e m s”. As such, in SECTION 3, s. REEB 16.02 (2g) and (2r) should instead be numbered (2e) and (2s).

e. In SECTION 3, the term “Buyer agency/tenant representation agreements” should be written in the singular tense.

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

a. In the comparison to federal law in the rule analysis, the use of the acronym “FmHA” is confusing and should be preceded by its full reference.

b. In SECTION 6, s. REEB 16.03 (2) is amended to refer to sub. (3). However, s. REEB 16.03 (3) neither exists current in the code, nor is it created under the rule. The department should clarify its intent regarding the reference to sub. (3).

c. In SECTION 9, s. REEB 16.06 (1) (intro.) is amended to read: “A All of the following apply to a licensee...”. In rephrasing this sentence, the conditions listed in pars. (a) to (f), when read to follow after the (intro.), no longer make complete sentences. The department should consider rephrasing either sub. (1) (intro.) or pars. (a) to (f).

d. In SECTION 11, is the intent of s. REEB 16.06 (5) that a licensee may use a pre-prepared addendum only if pars. (a), (b), and (c) all apply? If so, then the amended language in s. REEB 16.06 (5) (intro.) should be rewritten to read: “all of the following conditions are met:”. If not, then the phrase should be rewritten to read: “any of the following conditions are met:”.