



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Scott Grosz and Jessica Karls-Ruplinger
Clearinghouse Co-Directors

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 13-093

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. Throughout the rule, proper spacing should be used in citations. For example, “Trans 254.02(2)(c)” should read “Trans 254.02 (2) (c)”. [See the example following s. 1.03 (a), Manual.]

b. The enumeration of provisions treated by the proposed rule should be thoroughly reviewed to ensure that it accurately indicates the treatment applied in the text of the rule. For example, it is not appropriate to indicate that a rule provision is “repealed” or “amended” when in fact it is “created” or “repealed and recreated”. [s. 1.02 (1), Manual.] Additionally, the introductory clause of each SECTION should conform to the style prescribed by the Manual.

c. In SECTION 3 of the rule, the word “office” should be underscored. [s. 1.06 (2), Manual.] Also, the treatment of SECTIONS 3 and 14 relative to the existing text should be reviewed. It does not appear that the term “district offices” appears in the current code.

d. When repealing provisions, such as in SECTIONS 6 and 15 of the rule, the repealed provision should be cited in the treatment clause and no rule text should be shown. [s. 1.057, Manual.] In SECTION 15, use of the phrase “in its entirety” is unnecessary.

e. The entire rule should be reviewed to make sure that when creating new provisions, or repealing and recreating existing provisions, the text is shown as it will appear after promulgation, without strikethroughs and underscores. [ss. 1.055 (b) and 1.065, Manual.]

Additionally, the rule should be reviewed in its entirety to ensure that the order of strikethroughs and underscores conforms to the order prescribed by s. 1.06, Manual.

f. The treatment clause in SECTION 7 of the rule should indicate that the rule amends the introductory material of s. Trans 254.11 (2) and (3). The rule should be reviewed in its entirety to confirm that treatment of introductory material is included in the enumeration of provisions treated by the rule and the introductory clauses of the appropriate SECTIONS of the proposed rule.

g. SECTION 13 of the rule should indicate that it creates s. Trans 255.03 (2) (c) and (2) (c) (note). Note that those treatments should follow the treatment of s. Trans 255.03 (2) (a), currently in SECTION 14.

h. The department may want to consider whether an initial applicability clause would be suitable for the rule. [s. 1.02 (3m), Manual.]

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

In SECTION 5, the word “online” should be capitalized.