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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 15-061

#### 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 December 2014.]**

#### 1. Statutory Authority

Generally, the materials submitted by the Board to the Rules Clearinghouse have not been prepared in the form and style required by ss. 227.14 (1) and 227.15 (1), Stats. Before the Board proceeds further in the rule-making process, the proposed rule must be revised to conform to the form and style specified by the Manual. Of particular concern, the proposed rule must address the following items: inclusion of an appropriate enumeration of provisions treated by the rule; inclusion of an analysis that conforms to s. 227.14 (2), Stats.; arrangement of the rule text in SECTIONS, as described in s. 1.04 (1), Manual; and exclusion of unaffected sections of existing code from text of the proposed rule. Use of a “tracked changes” document is not sufficient to satisfy the form and style requirements under ss. 227.14 (1) and 227.15 (1), Stats.

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

- a. The proposed rule should be reviewed in its entirety to ensure that use of stricken and underscored text conforms to the style prescribed in s. 1.06, Manual.
- b. In s. UWS 4.015, use of punctuation should conform to s. 1.03 (3) and (4), Manual.
- c. In s. UWS 4.015 (2), use of slashed alternatives should be avoided. [See s. 1.01 (9), Manual.]
- d. Throughout the proposed rule, use of cross-references should conform to the style described in s. 1.07 (2), Manual.

e. In s. UWS 4.02 (1), the multiple paragraphs in that subsection should be reorganized, either as separate subsections or as paragraphs preceded by an introductory clause.

f. In s. UWS 4.06 (1), renumbering of pars. (b) to (j) appears unnecessary. Could the Board insert new material in that subsection as par. (am)? Additionally, use of the phrase “no provision herein” is unclear and should be replaced with a more specific reference.

g. Section UWS 7.02 (1) appears to be a definition that should be included in s. UWS 7.015.

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

a. In s. UWS 4.02 (1), the modified language states that the chancellor shall “provide information of rights under this chapter”. This language is awkward. Consider using the word “regarding” in place of the word “of” in this sentence.

b. In ss. UWS 4.02 (3) and 4.05 (2), what are the applicable state and federal laws to which the Board refers?

c. The word “shall” should be used to denote a mandatory or absolute duty or directive. [See s. 1.01 (2), Manual.] In this draft, the word “will” is used erroneously in at least one location. See s. UWS 7.05 (4) (c).