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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 20-012

#### 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.]**

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

a. In the rule caption’s listing of affected provisions, it is not necessary to repeat the source designation “DHS” after the first listing in each category of treatment, and it is not necessary to repeat a section number. For example, the amended provisions could be listed as “DHS 107.24 (1), (2) (a) and (c) 1., 4., 6., and 9., (3) (g) and (h) 4., and (5) (b)”. [s. 1.02 (1) (Example), Manual.]

b. The department’s analysis for the proposed rule should be revised to include entries to describe the analysis and supporting documents used to determine the effect on small business, and to describe the effect on small business.

c. In s. DHS 101.03 (28m), the parenthetical “(RESNA)” should be removed. [s. 1.01 (6) and (8), Manual.]

d. In s. DHS 105.54 (title), the section title should be formatted in bold font. [s. 1.05 (2) (b), Manual.]

e. In s. DHS 105.54 (1) (intro.), the introductory statement should be revised to specify that “all of the following” shall apply. [s. 1.03 (3), Manual.]

f. In s. DHS 105.54 (1) and (2), the paragraphs under both subsections should be revised to conform to the current drafting style for a series of subunits. In particular, each paragraph should begin with a capital letter and end with a period. [s. 1.03 (3) (Example) and (4), Manual.]

g. SECTION 4 of the proposed rule should be divided into two separate treatment SECTIONS: first, to amend s. DHS 107.24 (1); and second, to create par. (b). [Compare, for example,

the treatment in SECTIONS 5 and 6 of the proposed rule.] Also, under par. (a), the first word should be stricken in its entirety and then shown underscored to begin with a capital letter, and an underscored period should be inserted at the end of the sentence. The provisions in par. (b) and its subunits should be shown without underscoring, should begin with capital letters, and the subunits should each end with a period. The introductory statement in par. (b) (intro.) should also be revised to specify that the defined term means “any of the following”.

h. In s. DHS 107.24 (2) (a) 3., the format for the cross-reference should be revised to “subd. 2.”. [s. 1.07 (2) (Table), Manual.]

i. In s. DHS 107.24 (3) (g), the semicolon at the end of the sentence should be shown with a strike-through, and an underscored period should be inserted. The department should also consider amending pars. (a) to (f) of the current rule to likewise replace each semicolon with a period, to conform with the current drafting style for a series of subunits. [s. 1.03 (4), Manual.]

j. In SECTION 11 of the proposed rule, the treatment of s. DHS 107.24 (3) (h) 4., to end the subunit with a semicolon and the word “and” should be removed. Consider, instead, amending subds. 1. a. to c., 2., and 3. of the current rule to end each subunit with a period, to conform with the current drafting style for a series of subunits.

k. In s. DHS 107.24 (3) (i), review and revise each of the introductory statements to specify whether “any” or “all” of each series of subunits applies, and revise each of the series of subunits to end each subunit with a period.

l. In s. DHS 107.24 (3) (i) 3., the format for the cross-reference should be revised to “subd. 1.”. Likewise, the format for the cross-reference in par. (j) should be revised to “par. (i)”. [s. 1.07 (2) (Table), Manual.]

m. In s. DHS 107.24 (5) (b), the word “medicare” should be shown with a strike-through of the full word, and the replacement “Medicare” should be shown with underscoring for the full word. [s. 1.06 (2), Manual.]