



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 22-048

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

1. Statutory Authority

In the department’s summary for the proposed rule, an entry should be inserted to identify each statute that the proposed rule interprets. An agency may promulgate rules interpreting the provisions of a statute enforced or administered by the agency, if an agency considers it necessary to effectuate the purpose of the statute. [ss. 227.11 (2) (a) (intro.) and 227.14 (2) (a) 1., Stats.] Consider, for example, citing the original subject-matter statutes interpreted for each of the provisions affected in the proposed rule. This could include citing s. 85.21, Stats., for amendments made in ch. Trans 1, citing s. 85.22, Stats., for amendments made in ch. Trans 2, and so on.

2. Form, Style and Placement in Administrative Code

The caption for the proposed rule lists the treatment of s. Trans 138.03 (2) twice. The second reference can be deleted.