



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 23-030

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.]

2. Form, Style and Placement in Administrative Code

a. The treatment clause for SECTION 30 of the proposed rule should also note that s. DWD 301.05 (8) (bm) is amended. This should also be added to the rule caption’s listing of treated provisions.

b. In s. DWD 301.05 (8) (d), the underscored word “completed” should follow, rather precede, the stricken phrase.

c. In SECTION 84 of the proposed rule, the underscored designation “b.” should be removed, as the renumbered text is already identified.

d. In SECTION 135 of the proposed rule, the actions should be separated to amend s. DWD 301.07 (18) (a), consolidate, renumber, and amend pars. (b) and (c) as par. (b), and amend par. (d). The rule caption’s listing of treated provisions should be updated to reflect the treatment of pars. (b) and (c).

e. In s. DWD 301.07 (22) (b) 4., the word “paragraph” should follow the phrase “~~Such person’s~~”, in order to be contiguous with the underscored text following that phrase.

4. Adequacy of References to Related Statutes, Rules and Forms

In s. DWD 301.015 (intro.), consider removing the reference to ss. 103.90 to 103.97, Stats. The administrative rules may interpret the statutes, but would not directly apply definitions to terms used in the statutes. Alternatively, the reference could be rephrased as “and as applied under ss. 103.90 to 103.97, Stats.”.

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

a. In s. DWD 301.015 (25), the notation “, Stats.” should be added after “230.35 (4) (a)”.

b. In s. DWD 301.01 (1) (aw) (Note), “Department” should be changed to the lowercase.

c. In s. DWD 301.07 (9) (ar) 2., the word “nitrate” is used twice between the words “total and “level”. In sub. (13) (c), it appears “Wisconsin” was inadvertently stricken through.

d. In s. DWD 301.07 (13) (g), the phrase “An ~~approved-vented~~” should appear as “An ~~approved~~-Avented”.

e. In s. DWD 301.09 (2m) (b) 2., the word “in” before “engaged in” should be deleted.

f. In the treatment clause for SECTION 193 of the proposed rule, the errant “3” after the colon should be deleted.

g. The proposed rule and current rule use the terms “family”, “same family”, “individual family units”, “single family”, and “immediate family”, but the only defined term is “immediate family”. Consider reviewing and revising the use of these terms for consistency and appropriate intended meaning.