

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## RULES CLEARINGHOUSE

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## CLEARINGHOUSE RULE 96-038

### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]**

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

a. Since “DNA” is a defined term in s. Jus 9.03 (2), “DNA” should be substituted for “deoxyribonucleic acid” wherever that term appears in the rule, including the Notes.

b. In s. Jus 9.03 (3), the phrase “, and which includes the Combined DNA Identification System (CODIS)” seems to be tagged on and should be placed elsewhere in the definition for the sake of clarity. Also, it should be “combined DNA identification system” with no capitalization and no parenthetical acronym. If inclusion of “CODIS” is important, it can be spelled out in a note.

c. In s. Jus 9.04, sub. (1) (c) should be deleted and the phrase “, whether or not he or she is a resident of the state,” should be inserted after “An offender” in sub. (1) (a) (intro.). In sub. (1) (a) 5., and elsewhere throughout the rule where it is omitted, “, Stats.” should be inserted after the statutory citation. In par. (b), “subds. 1. through 4. of this section” should be “par. (a) 1. to 4.” and “adjudication of” should precede “delinquency.” In the second sentence in that paragraph, “subd. 5 of this section” should be “par. (a) 5.” and “adjudication of” should precede “delinquency.”

In sub. (2) (intro.), “section” should be “subsection” and “as follows:” should replace the period. In par. (f) and s. Jus 9.09, “family” should replace “social” since the name of the agency will change on July 1, 1996. In par. (g), “paragraphs (a) through (f)” should be “pars. (a) to (f).”

In sub. (3) (a), the term “Appropriately” does not add much to the meaning of the sentence. Is there another way of phrasing this sentence to make clear what type of licensing or

certification is being referred to? In the Note following par. (d), “out of state” should be hyphenated.

d. In s. Jus 9.06 (3) (a) (intro.), first sentence, “or her” should be inserted before “DNA.” In subd. 1., “crime laboratory” should not be capitalized and a period should replace “; and.”

e. The last sentence of s. Jus 9.08 (2) should be written in the active voice; i.e., “The department of corrections shall transmit....”

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

In s. Jus 9.08 (1) (intro.), “under s. 973.046, Stats.” should precede the colon.