



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 05-027

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 January 2005.]

2. Form, Style and Placement in Administrative Code

a. As a result of 2003 Wisconsin Acts 118 and 145, the required content of administrative rules analysis has changed. [See s. 1.02 (2), Manual.]

b. The statutory citations in the rule should not be underscored.

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

a. The term “convert” in the first sentence of s. EIBd 1.39 (2), does not appear to be defined. As the rule is prohibiting conversion, it would be helpful to a better understanding of the rule to know what “convert” means.

b. The first sentence of s. EIBd 1.39 (2) uses the phrase “may use funds.” It is not clear how a federal campaign committee may use funds in a state or local campaign. It appears, perhaps, that the phrase “may use funds” could be replaced by the phrase “may contribute funds.” This would seem to track better with the apparent intent of the rule. If not, the rule should clarify how a federal campaign committee can use funds in a state or local campaign.

c. The first sentence of s. EIBd 1.39 (2) limits contributions from federal campaign committees to state or local campaign committees to the “maximum amount that may be contributed.” The rule might be more clear if a cross-reference were provided indicating what the maximum amounts are. For example, a cross-reference to s. 11.26 (2) and (10) would seem appropriate.

d. In the last sentence of s. EIBd 1.39 (2), the rule would be more clear if the phrase “being contributed” was followed by the phrase “by the federal campaign committee.” Such a change would also help clarify which committee the “last in, last out” basis applies to.

e. Because the rule proposes both a prohibition on conversion and the allowance of contributions, it would be helpful to divide s. EIBd 1.39 (2) into at least two separate provisions. For example, the first provision could prohibit the conversion of a federal campaign committee to a state campaign committee. The second provision could then more clearly authorize a candidate’s federal campaign committee to contribute to a state campaign committee.