



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 10-126

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 September 2008.]

2. Form, Style and Placement in Administrative Code

- a. The introductory clause should include the abbreviation “ch.” before “DOC 328”.
- b. The table of contents entry for s. DOC 328.21 should read “Firearms or other weapons” rather than “Firearms and other weapons” to be consistent with that section of the rule. Also, the table of contents entry for s. DOC 328.22 should read “pat-down” rather than “pat-downs” to be consistent with that section of the rule.
- c. In s. DOC 328.01 (2), “the” should be inserted before “living”.
- d. The table in s. DOC 328.07 (2) should indicate that the supervision fee is monthly if that is the intent.
- e. In s. DOC 328.26, “(2)” should be inserted before “(a)”.
- f. Section DOC 328.28 (intro.) should read “provide a process” rather than “provide process”.

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

- a. The rule includes a number of cross-references to other parts of ch. DOC 328 that are incorrect. For example, s. DOC 328.04 (3) (g) refers to searches under s. DOC 328.24. It appears that s. DOC 328.22 is the correct cross-reference. The reference in s. DOC 328.10 (5) is

incorrect, as is the reference in s. DOC 328.21. The first reference in s. DOC 328.10 (6) (a) 3. should be to s. DOC 328.07.

b. In s. DOC 328.09, “under sub. (3)” should either be deleted or replaced by “under this section”.

c. In s. DOC 328.27 (6), “par.” should be deleted.

d. In s. DOC 328.28 (1) (c) and (d), “under sub. (2)” should either be deleted or replaced by “under this section”.

e. Since all of ch. DOC 328 is being repealed and recreated, references to parts of that chapter in other rule provisions may need to be revised. For example, see s. DOC 332.18 (3) (b).