



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 13-034

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 November 2011.]

2. Form, Style and Placement in Administrative Code

The initial regulatory flexibility analysis need not be included following the rule text, because it is stated in the analysis that the rule does not affect small businesses.

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

In the statute interpreted section, the agency cites s. 565.17 (2), Stats., relating to the price of lottery tickets. Section Tax 61.08 (11) (h) appears to interpret s. 565.17 (2), Stats., but the other provisions in the proposed rule do not relate to the price of lottery tickets. Are there other statutes that the agency could cite that relate to the other provisions in the proposed rule?

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

Section Tax 61.08 (13) (cm) states that the administrator *may* credit a retailer’s account for the value of instant scratch tickets that are stolen. Why doesn’t the rule *require* credit to be provided when tickets are stolen? If the proposed rule does not mandate that credit be provided in every situation where tickets are stolen, the agency might consider specifying the factors that the administrator must consider when determining whether to provide credit.