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CLEARINGHOUSE RULE 95-102

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.]

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

The analysis accompanying the rule indicates that one of the statutes being interpreted by the rule is s. 144.241 (14) (b) 7., Stats. While this provision does relate to the Small Loan Program, its specific subject is the establishment of equitable user charges. Since the subject of the rule is the computation of interest rates subsidies for the Small Loan Program, the appropriateness of listing sub. (14) (b) 7. as a statute being interpreted is not apparent. The department should review whether this reference should be included in the analysis.

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

a. The text of the composite interest rate formula in existing s. NR 165.06 (6), which is reproduced without amendment in the rule, includes the undefined term “PI.” If the department intends that this term is the percent of the market interest rate for tier 1 projects established in s. NR 162.07 (4), then this term should be changed to “P1,” a term defined in sub. (6). If the department intends to use the term “PI” in the formula, it should then define this term.

b. To ensure proper punctuation in the terms of the composite interest rate formula defined in s. NR 165.06 (6), the department should insert a comma between “(a)” and “(b)” in the definition of the term “CT1.”