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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 96-042

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. Because the entirety of s. NR 25.08 (3) (b) is deleted and replaced in the rule, it would be appropriate and more efficient simply to repeal the paragraph and recreate it as the underscored material without the necessity of underscoring the material.

b. The rule should contain an effective date provision. [See s. 1.02 (4), Manual.]

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

a. In s. NR 25.08 (3) (b), the phrase “all eligibility requirements” is vague. An appropriate cross-reference should be included that clarifies which eligibility requirements are being referred to. In addition, the phrase “that time” is also vague. Does that phrase refer to the two-year period, the 30-day period or some other period.

b. Once an offer to transfer a quota is made and accepted under s. NR 25.08 (3) (b), by what process is the offer rescinded once it “becomes apparent to the department that the person cannot become eligible within 2 years”? Are notices sent? Is there an appeal process?

c. In the section of the Report to the Legislative Council Rules Clearinghouse relating to the analysis, it is stated that the rule is an accompaniment to Order No. FM-11-96. However, page 2 of the analysis of the rule indicates that the rule is an accompaniment to Order No. FM-11-95. This discrepancy should be clarified.