

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## RULES CLEARINGHOUSE

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## CLEARINGHOUSE RULE 98-169

### 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 September 1998.]**

#### 2. Form, Style and Placement in Administrative Code

- a. In s. ETF 10.55 (1), the word “rule” should be replaced by the word “section.”
- b. In s. ETF 10.55 (1) (b), “duly” should be deleted. [See s. 1.01 (9) (c), Manual.]
- c. In s. ETF 10.55 (1) (c), “effectively” should be deleted. [See s. 1.01 (9) (c), Manual.]
- d. In s. ETF 10.55 (2) (b), “shall prevent” should be replaced by “prevents.” [See s. 1.01 (1), Manual.] Also, “appropriate” should be deleted.
- e. In s. ETF 10.55 (2) (c), “, Stats.,” should be inserted after “s. 40.22.” [See s. 1.07 (2), Manual.] Also, “different” should be deleted.
- f. In the example following s. ETF 10.55 (3) (b), “, Stats.,” should follow “s. 40.22 (2) (a).” [See s. 1.07 (2), Manual.]
- g. In s. ETF 10.55 (4) (a) and (b), “Wis. Stats.” should be deleted. The correct format is “s. ---, Stats.” [See s. 1.07 (2), Manual.]
- h. The rule does not contain an effective date provision. [See s. 1.02 (4), Manual.]

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

- a. In the third sentence of the first paragraph of the analysis, the word “are” should be replaced with the word “is.” [See also the use of the word “are” in s. ETF 10.55 (1) (c).]

b. In s. ETF 10.55 (4), the third sentence, beginning on line 19, is unclear. It is suggested that it be rewritten as: “If the proration is not specified by the agreement that establishes the joint instrumentality, proration shall be made as are expenses for the joint instrumentality.” The fourth sentence should also be rewritten to provide: “If no proration of expenses is provided in the agreement . . . .”