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CLEARINGHOUSE RULE 99-156

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.]

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

a. The rule analysis states that the Deferred Compensation Program is one of several nonretirement programs established under ch. 40, Stats., for which more precise due dates are needed in this rule. The Deferred Compensation Program is administered under subch. VII of ch. 40, but there is not reference to subch. VII in this rule, as there is to the subchapters governing the other programs listed in the analysis. Was a provision setting forth due dates relating to the Deferred Compensation Program inadvertently left out of this rule?

b. The rule analysis states that the current rule does not specifically address “annual reporting of wage detail,” which, the analysis says, is critical to reliable funding analysis and to prompt and accurate payment of benefits. However, the proposed rule does not contain any references to reporting “wage detail.” Is “wage detail” another term for the “detailed annual earnings reports” referenced in s. ETF 10.63 (1) (c)? It is suggested that consistent terminology be used to avoid confusion. Also, the analysis should more specifically discuss where the proposed rule addresses the annual reporting of wage detail.

c. In s. ETF 10.63 (1) (b) and (c), the term “working day” is modified by the phrase “excluding Saturdays, Sundays, and holidays when the state offices are closed.” The modifying phrase is redundant because the term “working day,” by common usage, means the days of the work week, and not Saturdays, Sundays and legal holidays. Note that the modifier is *not* used in s. ETF 10.63 (1) (f). The department might consider creating a definition of “working day” in s. ETF 10.01.