

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## ***RULES CLEARINGHOUSE***

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## **CLEARINGHOUSE RULE 00-131**

### **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. AT 1.04, the word “must” should be replaced by the word “shall.”
- b. Since ss. AT 2.04 to 2.06 are brief and relate to the same subject matter, two-year temporary licenses, they should be combined into one section. Also, in s. AT 2.04, the phrase “application by an applicant applying under s. 448.953 (4) (a), Stats.” should be replaced by the phrase “an applicant for a two-year temporary license.” These changes will assist the reader in understanding that these provisions only apply to the two-year temporary license.
- c. In s. AT 5.01 (intro.), “In this section and for purposes of s. 448.957 (2) (f), Stats.” should be inserted before “Unprofessional conduct.” [See s. 1.01 (7) (a), Manual.] Also, the phrase “any of” should be inserted before the phrase “the following.”

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

- a. Section AT 1.01 provides that the rules in chs. AT 1 to 5 are adopted pursuant to ss. 15.085 (5) (b), 227.11 (2) (a), 448.9525 (1) and (2), 448.954 (2), 448.9545 (2) (a), 448.955, 448.956 (1) and 448.957 (2), Stats. In contrast, the statutes authorizing promulgation listed in the analysis of the rules do not include ss. 448.9545 (2) (a) and 448.956 (1), Stats. The analysis and the rule should identify the same statutes that authorize promulgation. [See s. 1.02 (2), Manual.]

b. In s. AT 2.05, the notation “Stats.” should be inserted after the third occurrence of the citation to s. 448.953 (4) (a).

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

a. In s. AT 2.01, “an applicant who does not comply with a request for information related to the application within one year from the date of the request shall file a new application and pay the fee specified in s. 440.05 (1), Stats.” It would be helpful to the rule’s clarity if the rule also provided that an “applicant for a license,” referenced in the first sentence of s. AT 2.01, must pay the fee specified in s. 440.05 (1), Stats., when filing the initial application.

b. In s. AT 2.02 (1), the comma following the word “located” should be replaced by the word “or.” In s. AT 5.01 (1), the comma preceding the word “diploma” should be replaced by the word “or.”