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# WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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## CLEARINGHOUSE RULE 01-136

### 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. The introductory clause that precedes the analysis should include a “relating to” clause. [See s. 1.02 (1), Manual.]

b. The parenthetical abbreviation in s. Comm 108.01 (1) should be deleted. The department should consider defining “CDBG.”

c. In s. Comm 108.02 (2), the phrase “such time” is unnecessary and should be deleted.

d. In the treatment clauses of SECTIONS 1 and 7, “as” is unnecessary and should be deleted. In the treatment clause of SECTION 8, the first occurrence of “as” is unnecessary and should be deleted.

e. SECTION 9 repeals and recreates three subsections that have been renumbered. The three current subsections should have been repealed and the three new subsections should be created, in two separate SECTIONS.

f. The treatment clause of SECTION 12 should state: “Comm 108.03 (26) (intro.), (a) and (b) are consolidated, renumbered Comm 108.03 (26) and amended to read:”.

g. In SECTIONS 16 and 17, “Comm” should be inserted after “Table.”

h. The treatment clause of SECTION 22 should state: “Comm 108.09 is repealed and recreated to read:”.

i. In the treatment clause of SECTION 24, “(titles)” should be deleted.

j. The changes in SECTION 26, specifically the deletion of the sentence ending in a colon, results in inappropriately drafted introductory material. [See s. 1.03 (8), Manual.]

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

The term that is defined in the statutory section referred to in s. Comm 108.03 (2), is “blighted area,” not “blight.”

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

a. The fifth paragraph of the analysis to the rule should explain what is meant by “the expansion of funding programs.” In addition, what is meant by the phrase “the intent of both *the issue* as well as staff experience” (emphasis added) in the sixth paragraph?

b. Should the phrase “to one another” be added to the end of s. Comm 108.09 (1) (a) 3.?

c. The second phrase in s. Comm 108.09 (1) (b) 1. would be more clear if written as follows: “. . . an applicant shall score at least 225 of the available 300 points in order to be eligible for funding under ss. Comm 108.10 to 108.13.”

d. In s. Comm 108.11 (1) to (3), it is unclear whether a local government that is eligible for a certain number of points must be awarded at least the minimum number of points in the ranges listed. Section Comm 108.12 (1) states that the department “shall award” a certain number of points to an eligible local government. Why is different terminology used in these sections?

e. The analysis to the rule should explain in detail the changes made to s. Comm 108.19 (2) (f) and (g). Specifically, why does the rule eliminate from consideration the number of full-time jobs that are likely to be retained or created and the wages and benefits that will be paid when making grants for brownfield redevelopment?

f. In s. Comm 108.24 (2) (k) 1., “of” should be inserted after “status,” and it appears that “or” should be changed to “in.”

g. It appears that “Whether” should be inserted at the beginning of s. Comm 108.24 (3) (f).