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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 06-094

#### 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 January 2005.]**

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

- a. Reference to “this program” in s. PI 40.04 (5) (e) should be changed to either “this chapter” or “the youth options program.”
- b. Treatment of s. PI 40.055 (1) (b) should be shown as repealed instead of amended by strike-through. In addition, s. PI 40.055 (1) (a) should not be shown since it is not affected.

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

The cross-reference to s. PI 40.05 (5) in s. PI 40.055 (2) (b) should be reviewed, as the agency proposes repealing that provision in SECTION 15 of the rule.

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

- a. The repeal of ss. PI 40.05 (2) (b) and 40.05 (5) may leave some ambiguity with regard to the obligations to payment for certain equipment. Specifically, as drafted, the treatment in the rule of technical colleges and institutions of higher education with regard to required and permissive payments are different. The agency should review these and related provisions in an effort to clarify the requirements.
- b. The intended meaning of s. PI 40.056 (5) is not clear. Does the provision apply only to attendance during a specified period or to attendance any time? Also, it is not clear what the statutory basis or rationale is for the provision. For example, if all other eligibility requirements

were met, is there a basis to preclude a student from taking a class at two institutions during the same semester? This should be reviewed to assure it is consistent with the intent of the agency.

c. The agency may wish to include an initial applicability section to clarify when the revised standards will first apply.