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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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**Ronald Sklansky**  
*Clearinghouse Director*

**Richard Sweet**  
*Clearinghouse Assistant Director*

**Terry C. Anderson**  
*Legislative Council Director*

**Laura D. Rose**  
*Legislative Council Deputy Director*

### CLEARINGHOUSE RULE 08-025

#### 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. In the rule preface comparison of similar rules in adjacent states, a description of the process in the State of Michigan should be included.

b. Generally, the department strikes “of administration” from the phrase “department of administration” throughout ch. Adm 21. The department also should strike “of administration” from ss. Adm 21.01 (1), 21.02 (3) and (7) (c) 5., and 21.03 (3) (intro.).

c. Section Adm 21.03 (2) allows the department to advertise for bid proposals via notice distributed in electronic format. The rule summary should describe this change.

d. In s. Adm 21.05 (1) (b) (intro.), the phrase “all of” should precede the phrase “following information.”

e. SECTION 7 of the proposed rule should refer to s. Adm 21.07 (1) (intro.). [See also SECS. 10 and 11 and s. 1.03 (8) Note, Manual.]

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

a. Should s. Adm 21.02 (1) be modified to account for the electronic notice proposed in s. Adm 21.03 (2)?

b. In s. Adm 21.05 (2), the correct cross-reference is “sub. (1) (a) or (b).”

- c. The cross-reference in s. Adm 21.08 (1) (f) should refer to s. Adm 21.02 (8) (b) and (c).
- d. In s. Adm 21.09 (2), the cross-reference should refer to s. Adm 21.02 (8) (a).
- e. In s. Adm 21.09 Note, the cross-reference should refer to s. Adm 21.02 (8) (c) 5.

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

a. In the second paragraph of the rule preface summary, the word “requires” should be replaced by the word “require.”

b. Section Adm 21.05 (5) is unclear. How will the department determine “bids that conform with this section in the best interests of the state”? What is the purpose of this provision?