



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 08-029

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 item 3 of the plain language analysis, insert “be” before “appropriate.”
- b. In s. Trans 137.03 (8m) and elsewhere in the rule where the term “title” is defined, delete “properly” and substitute “under” for “pursuant to.”
- c. In s. Trans 137.03 (9) (b) 3., “under s. 344.57 (5), Stats.,” should be “as defined in s. 344.57 (5), Stats.”.
- d. In s. Trans 138.04 (1) (a), in the new language, insert “a” before “manufacturer’s” and delete “of” after “possession.” Also, delete “commonly known as the lemon law.”. Such a reference to the lemon law could be placed in a note after the text of this paragraph.
- e. In s. Trans 139.02 (1), “Bird dogging” should be “Bird-dogging.” The defined term could also be “Referral selling” rather than “Bird-dogging,” with a reference in a Note after the text of this subsection to “Referral selling is also known as “bird-dogging” or similar language. If “bird-dogging” is kept as the defined term, delete “, otherwise known as referral selling” and insert a similar note. (“Bird-dogging is also known as referral selling.”) Also, if new s. Trans 139.035 is the only provision that the term appears in, the term should be defined in that section and not in s. Trans 139.02.
- f. In s. Trans 139.03 (5), for clarity, substitute “if the use of the guide as the source” for “if the source.” Also, the subsection provides that “the full objective documentation used to set

the price is available to the customer.” In what form is this documentation to be made available? In writing? If so, that should be specified.

g. In s. Trans 139.035, insert “is” before “prohibited.”

h. In s. Trans. 139.04 (6) (a) 4m., in two places, the reference should be to “subd. 4.” and not to “s. Trans 139.04 (6) (a) 4.” In the second sentence, insert “as to” before “whether.” In the second sentence, insert “proposed” before “language” and delete “s. Trans 139.04 (6) (a) 4.” Also, insert “the” before “proposed.”

i. In s. Trans 139.05 (2) (fm), first sentence, substitute “par. (f)” for “s. Trans 139.05 (2) (f).” In the second sentence, insert “as to” before “whether.” In the third sentence, insert “proposed” before “language” and delete “s. Trans 139.05 (2) (f).” Also, insert “the” before “proposed.”