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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 08-105

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]**

#### **1. Statutory Authority**

In s. DOC 332.20 (4) and (5), under what statutory authority may the department assign wages or intercept a tax refund or lottery winnings? In addition, it may be preferable to list all of the possible methods the department may use to collect payments rather than including a provision allowing the department to use “[a]ny other appropriate means of obtaining the tracking fee.”

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

a. The provisions of the rule summary that are included after the text of the rule should be placed to follow the plain language analysis. Also, the rule summary must include information under the heading “Related statute or rule” and “Place where comments are to be submitted and deadline for submission.” [See s. 1.02 (2) (a), Manual.]

b. In s. DOC 332.20 (3) (b) 1. and 2., the introductory material does not lead grammatically into the following subunits. Thus, this material should be numbered as subpar. a. in both cases and the following subpars. a. and b. should be renumbered as subpars. b. and c.

c. In s. DOC 332.20 (3) (b) 3. (intro.), the phrase “all of” should be inserted after the word “including.”

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

- a. In s. DOC 332.20 (3) (b) 1., “will” should be replaced with “shall.”
- b. In Table DOC 332.20, “<” should be replaced with “Less than” and “>” should be replaced with “Greater than.”