



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 09-026

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.]

2. Form, Style and Placement in Administrative Code

- a. As a general comment to the department, it would have been simpler to combine this rule with Clearinghouse Rule 09-025, which pertains to the same program.
- b. In the introductory clause, the word “hereby” should be deleted and a relating clause, preceded by a comma, should be inserted at the end.
- c. In the rule summary, it is unnecessary to repeat the “(a)” before each numbered item after the first one. Also, there should be an item 12., indicating the place where comments should be submitted and the deadline for submission. [See s. 1.02 (2), Manual.]
- d. In the treatment clause to SECTION 2, the “(1)” should be changed to “1.”
- e. In s. VA 2.01 (3) (b), in the last underscored sentence, “may” should replace “will.”

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

- a. In item 8 of the analysis, is “emergent” intended or should this be “emergency”?
- b. In s. VA 2.01 (2) (a):
 - (1) The “must” on line 6 should be “shall.”

(2) Ninety one days seems like an unusual time limit. Why not say within 90 days? Also, it should be clarified what the starting date for that time period is, rather than just saying “following the verified loss of income...”.

(3) Regarding the proposed language requiring a listing of “all assets available to the applicant or the applicant’s family”, it is noted that current s. VA 2.01 (1) (d) defines the term “available liquid assets” as [a number of] assets owned, either jointly or solely, by the applicant or the applicant’s family. Should that term replace “all assets” in the proposed language?

(4) A note should be inserted after this provision to provide the address of the “department’s central office.”

c. Adding all the underscored language to s. VA 2.01 (2) (b) 1. will make the provision quite long. Is there a way to subdivide the material so it is easier to read? In this provision, “90 calendar days” is used, while “90 days” is used in s. VA 2.01 (3) (b). Using inconsistent terms causes confusion.

d. In s. VA 2.01 (3) (b):

(1) It is unclear what the “date of the verified loss of income” is, for purposes of counting a 90-day period.

(2) Also, if the subsistence aid is available for 90 days, what does it mean that applications may be made for any 30-day period within the 90 days? Does the applicant have to re-apply for subsistence aid every 30 days?

(3) Depending on the clarified starting date to count the 90-day period of available subsistence aid, is it then inconsistent to say, in the last underscored sentence, that no aid will be granted for a period prior to the date the application is received?

e. The final paragraph in SECTION 4 should be deleted.