



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 09-045

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. The action taken in SECTION 1 of the rule should be included in the action clause that begins the rule-making order.

b. Generally, the department should avoid the phrase “of the Statutes” when making statutory references. Instead, for example, write “Section 227.11 (2) (a), Stats.,” if the phrase begins a sentence and “s. 227.11 (2) (a), Stats.,” if the phrase does not begin a sentence. Similarly, specific references to a “chapter” or “chapters” of the administrative code should be abbreviated “ch.” and “chs.” within a sentence. For example, in item 4 of the rule summary, refer to “ch. Comm 560 and other Comm chapters...”

c. In item 4 of the rule summary, the department refers to ch. Comm 100. Is this chapter currently part of the administrative code?

d. In item 4 of the rule summary, it appears the department intends to refer to s. 560.685, Stats., rather than s. 560.658.

e. The last section of the rule preface should be numbered “12.” rather than “13.”

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

a. Section Comm 205.10 (1) should refer to each economic-development grant or loan program administered by the department by making use of the citations found in SECTION 1 of the rule. These citations could be placed either in the text of the rule or in a note to sub. (1).

b. Section Comm 205.50 (1) (c) provides that the department may impose a forfeiture on the recipient, but the rule does not provide any guidance on the imposition of these forfeitures. At a minimum, the department should clarify these provisions by specifying the procedures that it will use to impose these forfeitures and the range of the amounts of a forfeiture that may be imposed under these provisions.