



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 11-036

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. In SECTION 1, it appears that the SECTION should create s. Jus 10.03 (4m), not s. Jus 10.01 (4) (am). [See s. 1.03 (2) (g), Manual.]

b. The agency should use the format described in the examples in s. 1.04, Manual, for each section. For example, for SECTION 1, the agency should use the following format:

SECTION 1. Jus 10.03 (4m) is created to read:

Jus 10.03 (4m) “Firearms restrictions record search” means a search of department of justice records to determine whether a person seeking to purchase a handgun is prohibited from possessing a firearm, as provided in s. 175.35 (1) (at), Stats.

c. In SECTION 3, “as set forth in s. 175.35, Stats.” should be underscored. [s. 1.06 (1), Manual.]

d. The proposed rule should include an effective date clause. [s. 1.02 (4), Manual.]

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

In SECTION 2, “s.” should replace “ss.” in s. Jus 10.095 (1) (a) 1. and 2. since the conjunction “or” is used. Also, in those subdivisions, “that” or “the” should replace “such”.

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

a. In the fiscal estimate portion of the rule summary, “are” should replace “is”. Also, under “state fiscal effect”, complete sentences should be used.

b. In SECTION 2, the agency might consider removing the language “relief through” in s. Jus 10.095 (1) (a) 2.

c. In SECTION 2, in s. Jus 10.95 (1) (b), the agency should specify whether “its” refers to the Department of Justice or the national instant criminal background check system.