



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 15-060

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 December 2014.]

1. Statutory Authority

Generally, the materials submitted by the Board to the Rules Clearinghouse have not been prepared in the form and style required by ss. 227.14 (1) and 227.15 (1), Stats. Before the Board proceeds further in the rule-making process, the proposed rule must be revised to conform to the form and style specified by the Manual. Of particular concern, the proposed rule must address the following items: inclusion of an appropriate enumeration of provisions treated by the rule; inclusion of an analysis that conforms to s. 227.14 (2), Stats.; arrangement of the rule text in SECTIONS, as described in s. 1.04 (1), Manual; and exclusion of unaffected sections of existing code from text of the proposed rule. Use of a “tracked changes” document is not sufficient to satisfy the form and style requirements under ss. 227.14 (1) and 227.15 (1), Stats.

2. Form, Style and Placement in Administrative Code

a. The proposed rule should be reviewed in its entirety to ensure that use of stricken and underscored text conforms to the style prescribed in s. 1.06, Manual.

b. In s. UWS 17.13 (4), the modified provision refers to “a finding under sub. (1)”. It appears that this provision should actually refer to “a finding under sub. (3)”.

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

Section UWS 17.05 refers to “applicable institutional policies”. It may be helpful to the reader to have these policies described in a note to this provision.

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

The word “shall” should be used to denote a mandatory or absolute duty or directive. [See s. 1.01 (2), Manual.] In the proposed rule, the word “will” is used erroneously in a number of places. See ss. UWS 17.11 (3) and UWS 17.12 (1).