



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 16-086

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.]

2. Form, Style and Placement in Administrative Code

a. The department could alter the wording of the introductory clause to “proposes an order to repeal” instead of “hereby repeals”, and change each instance of “repeals”, “amends”, etc., to the infinitive form. [s. 1.02 (1) (Example), Manual.]

b. In the introductory clause’s enumeration of treated provisions, the reference to s. PI 34.27 (1) (e) and (f) is missing the “(1)”.

c. In the introductory clause’s relating clause, the department should identify the subject matter instead of referring to the emergency rule. [s. 1.02 (1) (a), Manual.]

d. In s. PI 34.18 (4), the title “Five-year nonrenewable license” should be written in small capital letters.

e. SECTION 2 of the proposed rule should be divided into two SECTIONS. The treatment clause for the first should be: “PI 34.21 (1) (c) is renumbered 34.21 (1) (c) (intro.) and amended to read:”. The treatment clause for the second should then be: “PI 34.21 (1) (c) 1. and 2. are created to read:”.

f. In s. PI 34.21 (2) (c), the final period should not be underscored.

g. SECTION 4 of the proposed rule should be divided into three SECTIONS with the following treatment clauses:

(1) “PI 34.21 (2) (c) is amended to read:”.

(2) “PI 34.21 (2) (d) is renumbered 34.21 (2) (d) (intro.) and amended to read:”.

(3) “PI 34.21 (2) (d) 1. and 2. are created to read:”.

h. In s. PI 34.23, a title should be inserted for the section. The title “Substitute teacher license” was omitted from the recreated section but not replaced. The department could consider retitling the section “Substitute teachers”. [s. 1.05 (1), Manual.]

i. In s. PI 34.29 (1) (g), the underscored words should be shown without underscoring. [s. 1.055 (2), Manual.]

j. In s. PI 34.30 (1) (d), the changes should be marked with strike-throughs or underscoring. No amendments are currently shown in that section. [s. 1.06 (1) (a), Manual.]

k. The introductory clause that enumerates the rule sections treated by the proposed rule should be updated as needed to reflect any treatment revisions made in accordance with these comments.

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

The department could review whether, in SECTIONS 8, 9, and 12 of the proposed rule, each reference to s. PI 34.15 (2) (a) 3. a. is intended to refer to only subpar. a. of par. (a) 3., and to exclude subpar. b.

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

a. In s. PI 34.18 (4) (a), the comma after “five-year” is superfluous and incongruous with the style of the existing statutory provision that the proposed rule is expanding.

b. In s. PI 34.23 (1), the last line should read “...the license the applicant has held or is eligible to hold...”.

c. In ss. PI 34.23 and 34.24, the department should use either the term “substitute teacher” or “substitute” consistently. There are references to “long-term substitutes” but “short-term substitute teachers”, and references to “substitute licenses” but “substitute teacher permits”.