



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 19-114

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. In light of the proposed rule’s expansion of the scope of ch. SPS 6 from only summary suspensions to both summary suspensions and limitations, the department could consider amending the title of ch. SPS 6 to insert “and limitations” after “summary suspensions”.

b. In the treatment clause for SECTION 6 of the proposed rule, the designation “(intro.)” should be inserted after “(title)”. The designation should also be inserted in the rule caption’s listing of amended provisions.

c. In the treatment clause for SECTION 10 of the proposed rule, the designation “(intro.)” should be inserted after “(1)”. The designation should also be inserted in the rule caption’s listing of amended provisions.

d. SECTION 11 of the proposed rule should be separated into two SECTIONS: first, to repeal s. SPS 8.02 (5) and (6) (e); and second, to repeal s. SPS 8.03 (2). Subunits of one rule provision may be treated together in one SECTION, but may not be combined with subunits from a different rule provision. [s. 1.04 (2) (a) 4., Manual.]

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

In s. SPS 6.06 (3), it appears that a cross-reference to s. SPS 6.10 (1) and (3) (a) should be inserted. Alternatively, in s. SPS 6.10 (1) and (3) (a), a phrase could be inserted to specify in both instances that the provisions apply notwithstanding s. SPS 6.06 (3).

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

a. In s. SPS 6.06 (3), after the phrase “unless the license is restored”, consider adding a phrase such as “or the limitation is lifted”.

b. In s. SPS 6.09 (1), consider amending the word “licensee” to “respondent”, in order to be consistent with language used throughout the chapter.

c. In s. SPS 6.09 (5), for easier readability, consider removing the underscored phrase “or limited” and instead inserting a phrase such as “and any limitation shall be lifted” after the phrase “immediately restored”.