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# Wisconsin Legislative Council

## RULES CLEARINGHOUSE

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## CLEARINGHOUSE RULE 22-012

### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]**

#### 2. Form, Style and Placement in Administrative Code

a. In SECTION 1 of the proposed rule, the treatment should be revised to “renumber and amend” s. PI 34.029 (1r) to sub. (1r) (a), rather than “amend”. In the text of the rule, the new designation for par. “(a)” should be shown without underscoring. [s. 1.04 (6) (b), Manual.] The rule caption’s listing of affected provisions should be updated to reflect this change.

b. In s. PI 34.029 (4), the phrase “The department shall not renew a” should be underscored, as it is new, inserted material. Also, the phrase “shall not” should be revised to “may not”, as “may not” is the proper format to indicate that an action is prohibited. [s. 1.08 (1) (b), Manual.]

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

a. In s. PI 34.029 (1r) (b) 1., the reference to “Speech-language pathology under s. PI 34.0475” should be reviewed prior to publication of the proposed rule. Under the current administrative code, the reference should be to s. PI 34.047 (4). The proposed rule should cite to s. PI 34.0475 only in the event that proposed rule CHR 22-005 is also promulgated and maintains the proposal to move the material relating to speech-language pathology from s. PI 34.045 (3) (m) and (4) to s. PI 34.0475.

b. In s. PI 34.029 (2) (b), the provision uses the term “properly licensed” but does not define that term. The agency should remove the word “properly” and instead identify the applicable licensure requirements by cross-reference. [s. 1.15 (1) (b), Manual.]

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

a. In s. PI 34.029 (1r) (b) (intro.), consider inserting the phrase “any of” before the word “following”, in order to more precisely indicate that all of the items in the subunits are equally subject to the provision. [s. 1.11 (2), Manual.] Similarly, in s. PI 34.029 (2) (c) (intro.), consider inserting the word “all” before the phrase “of the following”.

b. In s. PI 34.029 (2) (c) 2., the word “shall” should be revised to “will” in order to mirror the grammatical structure of subd. 1., and to create a more coherent statement when read with the introductory statement in par. (c) (intro.). [s. 1.11 (2), Manual.]