



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 23-026

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. The introductory clause for the proposed rule should enumerate the rule provisions treated by the proposed rule. [s. 1.01 (1), Manual.]

b. A heading for “Text of Rule” should be inserted following the agency’s analysis for the proposed rule.

c. The SECTIONS of the proposed rule should be revised to consistently use a numbering sequence, rather than using letters. For example, the numbering for SECTIONS 10m, 47p, and 47s could be revised to simply be in numerical sequence. [s. 1.03 (1), Manual.]

d. In SECTION 22 of the proposed rule, s. DFI-CCS 2.04 (7) (note) should also be repealed.

e. In SECTION 26 of the proposed rule, the treatment should be separated into two actions: first, to amend s. DFI-CCS 2.08 (intro.), (1), and (2); and second, to repeal s. DFI-CCS 2.08 (3). [s. 1.04 (3), Manual.]

f. In SECTION 40 of the proposed rule, it appears that s. DFI-CCS 5.03 (intro.) is not amended. If that is intended, the treatment clause should be revised to state that s. DFI-CCS 5.03 (1) to (4) are amended. The text of the introduction should not be shown.

g. In SECTION 40 of the proposed rule, amending s. DFI-CCS 5.03 (3), the second instance of the inserted phrase “, village, or town” should follow the stricken material. Also, although a final period should normally be preserved, in this instance it would be cleaner to strike-through the period that appears before the stricken closing quotation mark and show an underscored period following the insertion of “, village, or town”.

h. The analysis for the proposed rule should include a section summarizing comments received during a preliminary comment period or public hearing on the statement of scope, if held. [s. 1.01 (2) (a) 7., Manual.]

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

a. The agency should ensure proper spacing when text is added or deleted throughout the rule. For example, in SECTION 3, two spaces precede the added text “of delivery”.

b. The final sentence in SECTION 26 should be followed by a period.

c. The agency could clarify the possible UCC search requests in SECTION 40. If the proposed rule allows for two search request options (a request to include all unlapsed filings or a request to include all unlapsed filings and all filings that have lapsed within one year), the proposed rule could be clarified. If a party requests a report that includes all filings that have lapsed within one year of the request date but does not request the inclusion of all unlapsed filings, will the agency respond to the request?

d. The agency should use the Oxford comma consistently in SECTION 40.

e. Is there any significance in the change of certain duties from the filing officer to the filing office? For example, s. DFI-CCS 4.10 requires the filing officer to follow certain procedures to verify the accuracy of data entry tasks, while SECTION 38 requires the filing office to verify the accuracy of those tasks.