



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 20-010

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 caption for the proposed rule should be revised to remove the two references to “Wis. Admin. Code”, and to remove the phrase “to reflect the changes of 2015 Wisconsin Act 117;”. [s. 1.02 (1) (Example), Manual.]

b. The agency’s plain language analysis for the proposed rule states that it amends provisions of ch. ETH 1 to eliminate or modify references to statutory provisions or terms that were repealed or replaced under the new campaign finance law created by 2015 Wisconsin Act 117. However, the analysis does not mention that the proposed rule applies existing rule provisions to additional committee types in s. ETH 1.60, *Consulting Services*, and s. ETH 1.70, *Travel Reimbursements*.

In particular, SECTIONS 6, 7, and 8 of the proposed rule add “legislative campaign committee” to the provisions about reporting of consulting services that do not currently apply to this type of committee, even though “legislative campaign committee” was a defined term that did exist under the prior version of ch.11, Stats. Similarly, SECTIONS 9 and 10 add “political party” to provisions regarding how travel reimbursements are to be reported as contributions, even though the terms “political party” and “political party committee” existed under the prior version of ch. 11, Stats.

Accordingly, in these SECTIONS, the proposed rule is not merely modifying references to terms repealed or replaced when the campaign finance chapter was rewritten by 2015 Wisconsin

Act 117. The plain language analysis should reflect that the rule is also expanding certain provisions to apply to additional committee types.

c. In the agency's analysis for the proposed rule, the description of the factual data and analytical methodologies used in preparing the rule should be revised to provide an overview of the agency's process in developing the proposed rule, and the entry of "N/A" under that heading should be removed. For example, the entry could state if a review and comparison was made among the current text of the rule and the statutory directives on the issue. Any other aspects of the analytical process used in developing the proposed rule should also be briefly identified.