



Wisconsin Legislative Council

RULES CLEARINGHOUSE

Scott Grosz
Clearinghouse Director

Anne Sappenfield
Legislative Council Director

Margit Kelley
Clearinghouse Assistant Director

CLEARINGHOUSE RULE 23-056

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.]

1. Statutory Authority

In the listing of statutory authority and the explanation of agency authority sections of the rulemaking summary, s. 45.43 (2), Stats., should be included as it relates to changes to fees in the proposed rule.

2. Form, Style and Placement in Administrative Code

a. In SECTION 7 of the proposed rule, the treatment of s. VA 13.02 (title) should be revised to repeal and recreate, rather than amend, as the provision is revised in its entirety.

b. In SECTION 10 of the proposed rule, the department should modify the material so that each subunit following an introduction completes the idea and results in a complete sentence when read with the introduction. Also, in order to retain incorporation of the newly created definition for the term “homeless”, consider rephrasing to include that term, such as “Conditions which indicate that the veteran is at risk of becoming homeless or the veteran is homeless”.

c. The following comments apply to SECTION 25 of the proposed rule:

- (1) The title for newly created s. VA 13.05 (2g) should be shown with underscoring, as it is not part of the current text of the rule.
- (2) Section VA 13.05 (2g) (intro.) should be revised to include an introductory statement that explains the interaction and applicability of the subunits.
- (3) The creation of s. VA 13.05 (2g) (c) should be moved into a separate SECTION of the proposed rule. The SECTION should create par. (c) and should show the fully new material without underscoring. The SECTION would follow the SECTION that repeals s. VA 13.05 (2), in order to maintain numerically sequential treatment.

d. In SECTION 27 of the proposed rule, instead of repealing and recreating s. VA 13.06, consider repealing that material and creating the new material with a different section number

since the new material is unrelated to the current material. Reusing the same number with unrelated material may impair the ability to trace a provision's history and can lead to confusion and error.

e. In the caption for the proposed rule, the enumeration of affected provisions should be updated to reflect any changes made in response to these comments.

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

a. In s. VA 13.01 (2m) (intro.), the verb congruity with the subunits is somewhat awkward. Consider an alternative phrasing for the introduction, such as “means that a veteran is experiencing any of the following:”.

b. In s. VA 13.02 (4), modify the word “additional” to “in addition” within the material created.

c. The material created in s. VA 13.04 (1) (c) should be modified for clarity, perhaps by combining into one sentence. For example, it could be rephrased as: “Appropriate support services to enable independence and ability to secure permanent housing, including permanent housing, medical and mental health treatment, counseling, supervision, and other services essential for achieving independent living”.