



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 19-048

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.]

1. Statutory Authority

The proposed rule meets the standard that is required to submit a petition under s. 227.26 (4), Stats., for expedited repeal of an unauthorized rule. For purposes of the expedited repeal process, an “unauthorized rule” is a rule for which an agency lacks the authority to promulgate the rule due to the repeal or amendment of the law that previously authorized its promulgation. In this case, 2017 Wisconsin Act 59 repealed s. 16.303 (2) (c), Stats., which governed the balance of housing grants and loans among geographic areas of the state. The proposed rule removes the corollary administrative rule provisions.

2. Form, Style and Placement in Administrative Code

a. In the introductory clause for the proposed rule, the designation “Adm” should be inserted before the numerical portion of the citation to the administrative code, to accurately identify the affected code provisions.

b. In the rule summary, in two instances the abbreviation “s.” should be inserted before a reference to the administrative code. Also, citations to the administrative code do not need to be followed by “Wis. Adm. Code”, and each instance of that designation could be removed.