



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 19-002

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 rule summary’s listing of the deadline to submit comments on the proposed rule should specify how a reader could determine the date of the public hearing, rather than stating only that the date is “to be determined”.

b. In the treatment clause for SECTION 3 of the proposed rule, the designation “(intro.)” should be inserted after “(i) 3.”. This citation should also be updated in the listing of treated provisions in the caption for the proposed rule.

c. In s. NR 154.03 (1) (j) 5., “\$70” should be underscored.

d. In s. NR 154.03 (3) (a), it appears that “NR 153.17” and “(1)” should not be underscored because that text is already included in the current rule.

e. In s. NR 154.04 (2) (g), the underscored words “Erosion and sediment” should be moved to immediately follow the strike-through of the word “Sediment”. [s. 1.06 (1) (a), Manual.] Also, the period after the phrase “for this chapter” should be shown without a strike-through.

f. In s. NR 154.04 (2) (g) (Note), consider inserting the word “Note:” at the beginning of the text to be consistent with other provisions in the proposed rule, such as in s. NR 154.02 (15) (Note).

g. In s. NR 154.04 (11m), the underscoring of “ATCP 50.705” should be removed.

h. In s. NR 154.04 (31) (b), a period should be inserted at the end of the sentence to reflect the current text of the rule.

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

In s. NR 154.04 (2m), it is unclear what the “updated technical standard” is. Does the department intend that the “updated technical standard” means the technical standard that will apply on the effective date of the rule? If so, this should be clearly identified. [s. 1.01 (9) (b), Manual.] In sub. (2m) (a), a similar problem occurs with the phrase “the version listed in this subchapter”.

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

a. In the rule summary’s plain language analysis, the first instance of the word “is” should be changed to “are”. Also, in the summary of, and comparison with, existing or proposed federal statutes and regulations, a closing parenthesis should be added after “(33 U.S.C. s. 1329”.

b. In s. NR 154.04 (42) (d) 1. ap., the second instance of the word “Proprietary” should be changed to the lowercase.