



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 19-134

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. In the department’s analysis for the proposed rule, the department should consider adding the more specific statutory rulemaking authority under s. 29.519 (1m) (b), Stats., instead of referring more broadly to s. 29.519, Stats.

b. The department’s listing of the deadline to submit comments should specify the date of the public hearing or how a reader could determine that date, rather than referring only generally to a date “to be determined”.

c. In s. NR 25.09 (2) (d) 2. b., the format for the reference to “s. NR 25.09 (2m)” should be revised to “sub. (2m)”.

d. In s. NR 25.09 (2m) (intro.), the format for the reference to “s. NR 25.09 (2) (d) 2.” should be revised to “sub. (2) (d) 2.”, and the source designation “, Stats.” should be added after the second instance of “s. 29.519 (6)”.

e. In s. NR 25.09 (2m) (a) 1. b., the department could clarify its authority to reposition cameras by replacing “one or all of the cameras” with “any of the cameras”. In addition, the reference to “par. (a)” should be changed to “this paragraph”.

f. In s. NR 25.09 (2m) (c), the department could consider adding a note after the provision to include department contact information in the event of video system malfunction.

g. In the treatment clause for SECTION 6 of the proposed rule, the designation “(intro.)” should be inserted after “renumbered NR 25.09 (5) (a)”.

h. In s. NR 25.09 (5) (a) (intro.), the phrase “trawls catch” should be stricken-through, followed by underscored “trawl drag catches”.

i. In SECTION 8 of the proposed rule, rather than creating par. “(b)”, the department should consider using a different designation, such as par. “(bm)” or “(c)”. Paragraph (b) already exists and is renumbered in the proposed rule; it is generally best to avoid reuse of a previously existing number, as reuse can cause confusion.

j. In s. NR 25.09 (5) (b) (intro.), the format for the reference to “s. NR 25.09 (2) (d) 2. d.” should be revised to “sub. (2) (d) 2. d.”.

k. In s. NR 25.09 (5) (b) 2. and 3., both instances of the reference to subd. 1. should include the period for subdivision designations, as “1.”. Also, in subd. 3., the abbreviation “subds.” should be revised to “subd.”.

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

In s. NR 25.09 (5) (b) 3., it appears that the phrase “more than 50%” should be revised to “50% or more”, if the requirement in subd. 2. applies to “10 to 49.9 %”.