

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## ***RULES CLEARINGHOUSE***

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## **CLEARINGHOUSE RULE 01-015**

### **Comments**

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]**

#### **1. Statutory Authority**

Section 93.75 (1) (a), Stats., provides that a person eligible to receive an ethanol grant includes a person who has produced 10 million gallons of ethanol within 12 months or, during the first 12 months that the person produces ethanol in the state, a lesser amount that is established by the department by rule. Section 93.75 (3), Stats., provides that the department’s rules for the ethanol grant program must include the amount of ethanol that a person must produce within the first 12 months to be eligible for payments. It appears that Clearinghouse Rule 00-015 does not include specific provisions regarding the amount of ethanol that a person must produce within the first 12 months in order to be eligible for a grant.

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

- a. In s. ATCP 161.31 (8) (a), “chapter” should be replaced with “ch.”
- b. Section ATCP 161.33 refers to a form. The department should ensure that the requirements of s. 227.14 (3), Stats., are met.