



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 05-106

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 January 2005.]

2. Form, Style and Placement in Administrative Code

a. In s. NR 47.92 (4) (c) (intro.), it appears that the phrase “do all of the following” should be inserted before the colon. Also, in sub. (4) (d) (intro.), “all of the following” should be inserted before the colon. In sub. (6) (d), “cannot” should be changed to “may not.”

b. Several provisions of the rule need to be drafted in the active voice. For example, s. NR 47.92 (5) (b) should begin “(b) WPLA shall deposit...”; sub. (5) (c) should begin “(c) WPLA shall develop and retain...”; and sub. (7) (d) should begin “(d) WPLA shall retain...”.

c. In s. NR 47.92 (6) (d), “these rules” should be changed to “this paragraph...[revisor inserts date].” [See s. 1.01 (9) (b), Manual.]

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

In s. NR 47.92 (1), “towards” should be changed to “to.” In sub. (2), “is applicable” should be changed to “applies” and the word “those” should be deleted. In sub. (3) (intro.), “As used” should be deleted and the word “in” should be capitalized. In sub. (3) (b), “an” should be changed to “a”. In sub. (3) (f) and (g), “is” and “refers to” should be changed to “means.”

Subsection (5) (b) should specify that all scholarship funds received “by WPLA” from the department shall be deposited into a segregated account. Subsection (5) (c) should specify who has the authority to revise the standards of the Wisconsin master logger certification program.

In sub. (6) (a), the word “funding” should be deleted. Also in sub. (6) (a), the phrase “receiving and maintaining Wisconsin master logging certification” is awkward; perhaps “receiving and maintaining” could be replaced with “seeking” as provided in s. 26.39 (7), Stats. In sub. (6) (c), “amount” should replace “number”. In sub. (6) (d), the term “processed” should be clarified. For example, the department should specify whether it intends to include applications that have been approved and applications that have been received but have not been reviewed.

In sub. (7) (a), “those” should be changed to “the.” Subsection (7) (c) should specify who determines whether “gross abuse or corrupt practices” have occurred. In sub. (7) (d), “date of award” should be changed to “the date of an award.”

In sub. (8) (b), “to” should be inserted after “due.” In sub. (8) (c), the phrase “upon the unavailability of specifically appropriated funds by the legislature for this purpose” is awkward. This phrase could be changed to “if funding has not been appropriated by the legislature for this purpose.”