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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 06-134

#### 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.]**

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

a. Section NR 19.50 refers to “specialized fees” for Internet based education certification programs. The department should clarify whether these specialized fees are in addition to or in lieu of the \$10 per student fee identified in the first sentence in existing s. NR 19.50.

b. Section NR 19.50 refers to a memorandum of understanding “with the managing entity.” The department should consider either defining or clarifying who the managing entity is, as it is not clear from the text of the rule. Furthermore, the use of the article “the” before “managing entity” implies that there will only be one managing entity, even if the department offers Internet based education certification programs in multiple program areas, i.e, all-terrain vehicle and bowhunter, snowmobile, and hunter education certification programs. Does the department intend to use only one managing entity?

c. Section NR 19.50, states that the specialized fees shall be sufficient to defray “authorized operational costs” of the managing entity and the department. Presumably, these costs of the managing entity will be identified in the memorandum of understanding between the department and the managing entity referred to in the previous sentence in s. NR 19.50. It is not clear where the authorized operational costs of the department are specified.

d. The analysis accompanying the rule indicates that the proposed rule would establish specialized fees for Internet based all-terrain vehicle and snowmobile safety certification programs. As drafted, the rule could also apply to specialized fees for Internet based bowhunter

and hunter education certification programs. The department should reconcile this potential conflict by amending either the analysis or the text of the rule, as appropriate.

e. When the rule is published in the Administrative Code, it will not be clear that the fee mentioned in the last sentence is the fee in the preceding sentence. This should be clarified.

f. In SECTION 2, “in” should follow “publication.”