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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 16-049

#### 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 s. ATCP 52.02 (intro.), “As used in the rule:” should be changed to “In this chapter:”.
- b. In s. ATCP 52.04 (1), a verb such as “Provide” or “Fund” should be inserted at the beginning of the sentence so the sentences in this section use the same format. In addition, “any of the following”, should be added before the colon and paragraphs should be used to organize the list in that subsection.
- c. In s. ATCP 52.06 (intro.), “shall not” should be changed to “may not”.

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

- a. In the introductory paragraph of the plain language analysis, the slashed alternative “and/or” should be deleted. [See s. 1.01 (9) (a), Manual.] The entire rule analysis should be reviewed in order to ensure that slashed alternatives such as “and/or” and “used/shared” are not used.
- b. In the introductory paragraph of the plain language analysis, “(s)” at the end of “watershed” should be deleted. [See s. 1.01 (9) (e), Manual.] The entire rule analysis should be reviewed in order to ensure that the notation “(s)” is not used to indicate that a word may be singular or plural.
- c. In the introductory paragraph of the plain language analysis, “Department” should be changed to “department”. The entire rule analysis should be checked for this issue.

d. In the grant purposes section of the plain language analysis, “etc.” should be deleted. [See s. 1.01 (9) (c), Manual.] The entire rule analysis should be checked for this issue.

e. In the use of grant funds section of the plain language analysis, the parentheses should be deleted. [See s. 1.01 (6), Manual.] The entire rule analysis should be checked for this issue.

f. In the use of grant funds section of the plain language analysis, “(labor)” should be deleted and either “personnel” or “labor” should be used. This issue also occurs in s. ATCP 52.05 (4).

g. In the use of grant contracts section of the plain language analysis, it appears that the phrase “or both as appropriate” should be deleted. Section 93.59, Stats., directs the department to make a grant directly to a producer led group, except that, if the group is not a legal entity, the department may only make the grant to a legal entity on behalf of the group.

h. In the effect on small business section of the plain language analysis, the quotation marks around “producer led watershed protection grants” should be deleted. The rule analysis should be reviewed in its entirety for this issue.

i. Chapter ATCP 52 should be reviewed in its entirety to ensure that periods are added at the end of every sentence.

j. In SECTION 1, in the title of the chapter, “WATESHED” should be changed to “WATERSHED”.

k. In s. ATCP 52.03 (1), “(ex. cap on staff time)” is vague and material should not be placed in parentheses. The department could add a Note at the end of this section which includes examples of limitations on how grant funding may be spent.

l. In s. ATCP 52.03 (2) (a), it appears that “their” should be changed to “the”. In sub. (2) (d), “emergency” should be deleted.

m. In s. ATCP 52.03 (2) (f), “(s)” should be deleted. [See s. 1.01 (9) (e), Manual.] The entire rule should be checked for this issue.

n. In s. ATCP 52.03 (2) (g), the slashed alternative “and/or” should be deleted. [See s. 1.01 (9) (a), Manual.] The entire rule should be checked to ensure that slashed alternatives such as “and/or”, “benefits/opportunities”, and “used/shared” are not used.

o. In s. ATCP 52.04 (1), the notation “etc.” should be deleted. [See s. 1.01 (9) (c), Manual.] The entire rule should be checked for this issue.

p. In s. ATCP 52.05 (2), “and” should be added before “cover crop seed”.

q. In s. ATCP 52.06 (5), can the department clarify what “administrative or overhead costs that are not direct costs of the grant project” includes?