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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 19-007

#### 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. How does the department intend for the provisions in SECTION 1 of the proposed rule to interact with the existing s. NR 1.02 (4)? As proposed, the existing provision would be treated as s. NR 1.02 (4) (intro.), but pars. (a) to (c), as created by the proposed rule, do not appear to appropriately follow that provision. [s. 1.03 (5), Manual.] Is it more appropriate to treat s. NR 1.02 (4) by renumbering sub. (4) as sub. (4) (a) and creating s. NR 1.02 (4) (b) to (d)?

b. In s. NR 1.985 (intro.), it appears that “all of the following apply” should be inserted between “if” and the colon.

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

a. In the statutes interpreted section of the rule analysis prepared by the department, “Statute” should be changed to the plural. In the first paragraph, “Wis. Stats.” should be changed to “Stats.”. The other sections of the rule analysis should also be reviewed for this issue. In the second paragraph, “; Stats.” should be added after “29.053 (2)”.

b. In the explanation of authority section of the rule analysis prepared by the department, in the second paragraph, “Section” should be changed to “s.”. In the last paragraph of this section, “; Stats.” should be added after “s. 29.707”.

c. In the plain language section of the rule analysis prepared by the department, in the first paragraph, “Ch.” should be changed to “ch.”.

d. In the summary of factual data section of the rule analysis prepared by the department, in the first paragraph, it appears that “is” should be inserted between “fish population’s genetics” and “well suited”. In the final paragraph of this section, “Department” and “Natural Resources Board” should be changed to the lowercase.

e. In the analysis and supporting documents section of the rule analysis prepared by the department, capitalization should be reviewed and revised as necessary. [See 1.01 (4), Manual.]

f. In s. NR 1.02 (4) (b), it appears that “population” should be changed to the plural.

g. Throughout SECTION 1, the rule uses different terms for water. For example, “Wisconsin inland waters” is used in sub. (4) (b), while “waterbodies of the state” and “waters of the state” are both used in sub. (4) (c). The department should consider using one term, if appropriate, to refer to water in order to provide clarity.