

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE RULE 96-022

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 October 1994.]

2. Form, Style and Placement in Administrative Code

a. Generally, rule sections are arranged in the numerical order of the decimal-numbered provisions as they appear in the rules at the time of drafting. [See s. 1.04 (1), Manual.] Accordingly, the treatment of s. NR 10.02 (3) [SECTION 5] should precede the treatment of s. NR 10.106 (2) (b) [SECTION 4].

b. In s. NR 10.02 (3), the word “thereof” should be replaced by the phrase “of the head.” [See s. 1.01 (9) (c), Manual.]

c. The phrase “taken with the authority of” appears in s. NR 10.106 (2) (b). However, under the same current rule provision, the phrase reads “taken under the authority of.” If the word “under” is being replaced by the word “with,” the appropriate strike-throughs and underscores should be shown. If not, the phrase should be reproduced exactly as it appears in the current rule.

d. SECTION 7 of the rule purports to amend s. NR 10.145 (intro.), (1) (e) and (4) (a). However, it really amends s. NR 10.145 (intro.), (3) (e) (intro.), 1. and 2. a. and (4) (a) and (c). Therefore, the treatment clause of SECTION 7 should be modified.

e. It is unnecessary to strike a word in the current rule and then recreate it by underscoring the same word. See “tags” in s. NR 10.145 (3) (e) and “tag” in s. NR 10.145 (4) (c).