

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## RULES CLEARINGHOUSE

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## CLEARINGHOUSE RULE 96-085

### 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. In paragraph number 3 of the cover attachment to the rule, it appears that the word “but” should be replaced by the word “by.”

b. In SECTION 1 of the rule, a definition of “hooking” created by s. NR 19.001 (7m) does not contain the phrase “as used in s. NR 19.275” as is done with the other definitions. Is this omission intentional? The same issue is raised with respect to s. NR 21.02 (6m) as contained in SECTION 5 of the rule and s. NR 22.02 (6m) as contained in SECTION 9 of the rule. In general, the definitions sections affected by the rule should be modified so that terms used throughout a chapter are defined in one section as described in s. 1.01 (7) (a), Manual. That section of the Manual states in part that:

...If a definition of a word or term applies to an entire chapter, the definition should appear at or near the beginning of the chapter. If a definition applies only to a particular rule section or subsection, it should appear only in that section or subsection, not somewhere else in the chapter or in a different chapter. Also the extent of the applicability of the definitions should be clearly stated; for example, the definitions might be preceded by the phrase “In this chapter:” or “In this section:”.

c. It appears that s. NR 19.275 (2) (intro.) should read: “No person may do any of the following:”. This clear statement will allow par. (g) to conclude with a period, rather than the

confusing notation “, or.” Similarly, in sub. (2) (c) (intro.), the phrase “all of” should be inserted before the phrase “the following criteria.” The remaining provisions of the rule should be reviewed for similar changes.

d. In SECTION 6, s. NR 21.02 (10) is amended. It should be changed to be in the form of a definition. That is, “Possession limit” should be shown as stricken through and replaced by “‘Possession limit’ means.” [In general, see s. 1.07, Manual.]

e. In s. NR 21.13 (2) (a), both occurrences of the word “authorize” should be replaced by the word “authorizes.”

f. In SECTION 10, the definition of “possession limit” should be changed by deleting “respect to.”