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CLEARINGHOUSE RULE 96-177

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.]

1. Statutory Authority

Section 30.635, Stats., authorizes the department to modify or waive the slow-no-wake speed restriction that applies to lakes of 50 acres or less and having public access only if it finds that the modification or waiver will not impair public safety. The materials presented to the Legislative Council Rules Clearinghouse with this rule do not contain any indication of this finding having been made. If the department does not choose to present this finding in the analysis of the rule, it should be sure to do so in the report to the Legislature under s. 227.19 (2), Stats.