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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 97-043

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. SECTION 2, which *creates* a new subsection and does not amend an existing subsection, is drafted as if it were an amendment to a subsection (with material to be deleted stricken and new material underlined). The new sub. (4) created in the rule should state the new provision as it will appear in the Administrative Code since there is nothing currently in existence to amend. The same holds true for the Notes to the newly created provisions in the new sub. (4) (the Note on pages 5 and 6 should not have strike-throughs and underscores). Thus, SECTION 2 in the rule needs to be redrafted.

b. If s. ATCP 31.08 (4) will not contain the material stricken on page 5, lines 10 to 17, then the introduction to the subsection should be unnumbered and the remaining subunits should be numbered pars. (a), (b) and (c).

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

Section ATCP 31.08 (4) (a) 3. requires that the department may repeal a site-specific prohibition if, among other things, tests of groundwater samples drawn from other points of standards application in the prohibition area reveal no other concentrations of the pesticide substance exceeding 50% of the enforcement standard. How many other tests must be taken? Can this be specified?