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CLEARINGHOUSE RULE 97-093

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 s. Comm 18.09 (2) (a) (intro.) and 1., the listing of “appropriate fees” should be included elsewhere in the rule because fees are not “information.” In the alternative, the words “and fees” could be inserted before the colon in sub. (2) (a) (intro.). Also, the material in s. Comm 18.09 (2) (a) 3. does not grammatically or conceptually follow from the introductory material in sub. (2) (a) (intro.). Beginning with the phrase “sufficient data,” the material in subd. 3. would more appropriately be placed in par. (b). Finally, in s. Comm 18.09 (2) (b) (intro.), the phrase “all of” should be inserted after the word “include.” In general, introductory material should include phrases such as “all of the following” or “any of the following,” in order to clearly specify to the reader whether all or at least one of the stated conditions must be met. The entire rule should be reviewed for this concern.

b. In the treatment clause of SECTION 3, substitute “(intro.)” for “intro. par.”. [See s. 1.03 (8), Manual.] In s. Comm 18.09 (3) (intro.), substitute “2 3” for “2 3.” [See s. 1.06 (1), Manual.] In s. Comm 18.09 (3) (b), substitute “1” for the comma, and substitute a semicolon for the underscored period at the end. Also, because of the creation of s. Comm 18.09 (3) (L), the word “and” should be deleted from s. Comm 18.09 (3) (j) and added to s. Comm 18.09 (3) (k).

c. In s. Comm 18.14 (3), the words “such time as” and “correspondingly” are superfluous and should be deleted. In sub. (4) (a) and (b), and in other provisions of the rule-making order, a comma should be inserted after the reference to the section and year of the appropriate national safety standard or code.

d. In s. Comm 18.24 (1) (b), substitute “Paragraph (a)” for “The 24 inches clearance.” Also, it appears that the word “or” should conclude s. Comm 18.24 (1) (b) 2. In par. (1) (e), substitute “to the car” for “thereto,” and substitute “in the pit” for “therein.” [See s. 1.01 (9) (c), Manual.]

e. In the first sentence of ss. Comm 18.75 (2) and 18.80, substitute “under” for “as determined.”

f. In s. ILHR 50.12 (4) (dm) (intro.), after “review,” substitute a colon for the period. Also, in the Note following subd. 1., substitute “chs.” for “ch.”

4. Adequacy of References to Related Statutes, Rules and Forms

a. In s. Comm 82.33 (9) (f) 1., after “in” insert “s.”. [See s. 1.07 (2), Manual.]

b. In s. Comm 82.36 (11) (a) 2. a., substitute “subd. 2. b.” for “subpar. b.”. Also, in par. (a) 5. a., substitute “subd. 5. b.” for “subdivision paragraph b.”. [See s. 1.07 (2), Manual.]

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

a. In s. Comm 18.14 (4) (a), substitute “is” for “are.”

b. In the third paragraph of the appendix, the phrase “three fold” should be replaced by the word “threefold.” Also, in the first paragraph beginning with the number 3, it appears that the semicolon should be deleted. Finally, in the first paragraph beginning with the number 5, should an apostrophe follow the word “fighters” as it does in a previous paragraph in the appendix?