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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 98-151

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 September 1998.]

2. Form, Style and Placement in Administrative Code

a. The statement of statutory authority and statutes interpreted should include a reference to s. 281.17 (9), Stats., as created by 1997 Wisconsin Act 27.

b. Section NR 809.932 (1) refers to a “new community or non-transient non-community water system.” It is preferable to refer to a system constructed on or after a specified date.

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

a. Section NR 809.932 (3) refers to a form provided by the department. The agency should ensure that the requirements of s. 227.14 (3), Stats., are met.

b. The cross-reference in s. NR 809.932 (4) should be to “sub (2) (a) to (e).”

c. The cross-reference in s. NR 809.932 (5) should be to “this chapter and ch. NR 812.”

d. Section NR 809.932 (6) contains an incorrect cross-reference: there is not a rule numbered s. NR 811.13 (3) (b). Also, the last cross-reference should be to “sub (2).”

e. The cross-reference in s. NR 809.933 (2) (b) should be to “this chapter and ch. NR 811.”

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

a. The terms “municipal water system” and “other-than-municipal water system” are used in s. NR 809.932. These terms are defined in ch. NR 811. Should a definition of these terms be included in ch. NR 809?

b. In s. NR 809.932 (2) (n), the comma following the reference “809” should be replaced by the word “and.”

c. In s. NR 809.933 (2) (a), a comma should be inserted following the second occurrence of the word “standards.”

d. In s. NR 809.933 (2) (b), it appears that the word “of” should be inserted before the reference “chs. NR 809 and 811,” in order to clarify that both chs. NR 809 and 811 are an alternative to the reference to ch. PSC 185.