



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 08-039

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 January 2005.]

2. Form, Style and Placement in Administrative Code

a. The entire rule should be reviewed for conformance with s. 1.04 of the Manual, relating to the arrangement of sections of the rule-making order and the proper use of treatment clauses. In addition, the text of rule provisions that are repealed in their entirety or that are unaffected by the rule-making order should not be shown in the rule-making order. Rule provisions that are newly created in their entirety are not shown with underscores, but rather are preceded by a treatment clause that indicates that the provision is created in the rule-making order. New material is underscored only when it is inserted into existing rule provisions.

b. It appears that in Table 2.18, the phrase “Storage Per Site” should not be numbered because that phrase is a heading on the chart rather than a designation of a category of storage facility.

c. Section Comm 2.20 (1) (d) should specify that it refers to the initial inspection of custom-built, site-specific amusement rides not used in a portable mode.

d. In s. Comm 2.34 (1), the dollar amount “\$25” should be stricken through.

e. The material in Table 5.02 that is newly created should be so indicated by underscores with no material stricken through. (All of the material labeled “Subchapter X: items 74 to 82.”) See s. 1.06 (1) of the Manual.

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

a. In the second paragraph of the summary of proposed rules, the word “charge” should be replaced by the word “charged” and the word “buildings” should be replaced by the word “Buildings.”

b. In the rule preface discussion of the fee for filing a notice of intent to disturb soil, the second occurrence of the word “a” should be replaced by the word “an.”

c. In s. Comm 2.20 (1) (j), the phrase “previously department issued orders” is awkward. It should be rewritten to read “orders previously issued by the department.”