



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 10-069

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]

2. Form, Style and Placement in Administrative Code

a. The introductory clause lists the creation of s. NR 29.05 (title), but the proposed rule does not create s. NR 29.05 (title). [s. 1.02 (1), Manual.]

b. In the rule summary, the “plain language analysis,” “analysis and supporting documents used to determine effect on small business or in preparation of economic impact report,” and “effect on small business” headings are missing. [s. 1.02 (2) (a), Manual.]

c. The rule preface either specifically should indicate where comments about the rule are to be submitted and the deadline for their submission or indicate where the public will be able to obtain this information.

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

a. In the “statutory authority” section of the rule summary, “ss. 23.27 (3) (b) and 227.11, Stats.” should replace “Section 23.27 (3) (b), Stats., and Section 227.11, Stats.” [s. 1.07, Manual.]

b. In the second paragraph of the “related statute or rules and plain language analysis” section of the rule summary, “ch. NR 29” should replace “Ch. NR 29.” [s. 1.07, Manual.]

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

a. In the rule summary, the first reference to “natural heritage inventory” should be “natural heritage inventory (NHI).” All subsequent references should be to “NHI.” [s. 1.01 (8), Manual.]

b. In the rule summary, the first reference to “endangered resources” should be “endangered resources (ER).” All subsequent references should be to “ER.” [s. 1.01 (8), Manual.]

c. In s. NR 29.04 (1) (a), the fee is described as including “the associated administrative costs in compiling, interpreting and providing appropriate natural heritage inventory information and the cost of collecting, storing, managing, compiling, interpreting, and providing the natural heritage inventory data.” The agency might consider using identical language in pars. (am) and (b) to describe what the fee includes.

d. In s. NR 29.04 (1) (am), “3” should replace “three.” [s. 1.01 (5), Manual.]

e. In s. NR 29.04 (1) (b), should “shall” replace “may” in the first sentence? [s. 1.01 (2), Manual.]

f. In s. NR 29.04 (1) (c) and (d), the word “will” should be replaced by the word “shall.”