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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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**Richard Sweet**  
*Clearinghouse Director*

**Pam Shannon**  
*Clearinghouse Assistant Director*

**Terry C. Anderson**  
*Legislative Council Director*

**Laura D. Rose**  
*Legislative Council Deputy Director*

### CLEARINGHOUSE RULE 11-002

#### 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. In SECTION 2, the notation “[4]” should be deleted.
- b. Chapter Comm 40 needs a chapter title.
- c. Have all of the standards incorporated in ch. NR 40 been approved by the attorney general as required in s. 2.08, Manual? This should be noted in the analysis.
- d. In s. Comm 40.11 (5) (a), “[legislative reference bureau inserts date]” should be added after “the effective date of the rule”, similar to what is done in pars. (b) and (c).
- e. In s. Comm 40.52 (1), the paragraph titles and subdivision titles should be reviewed for conformance with s. 1.05 (2) of the Manual; for example, in sub. (1) (b), “*Piping Systems Required to be Purged Outdoors.*” should be changed to “*Piping systems required to be purged outdoors.*”

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

- a. In s. Comm 40.20 (1), the semi-colon should be removed and replaced with a comma and a comma should be added after “type or purpose of”. In sub. (8) note, “of the Statutes” should be changed to “; Stats.”; the entire rule should be checked for this problem. In addition, a colon should be added after “reads”.

b. In s. Comm 40.32 (1) (a), “previously” should be deleted; the rule should reference a certain date or the effective date of the rule instead. [See s. 1.01 (9) (b), Manual.]

c. In s. Comm 40.34 (1) (b), the meaning of the phrase, “the first class city’s administration and enforcement shall be exercised in advance of the department’s administration and enforcement”, is unclear and should be clarified. In the first note in sub. (2) (a), it is unclear to what “local jurisdictional authorities” the rule is referring. The same problem occurs in the third and fourth notes after sub. (2) (b).

d. In the notes following s. Comm 40.38, “indicates” should be changed to “provides that”.