



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 14-017

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 November 2011.]

2. Form, Style and Placement in Administrative Code

a. The proposed rule contains extensive renumbering to reorganize existing material. It is generally best to avoid renumbering, especially when inserting new rule sections or subunits, eliminating a gap in numbering, or reusing a previously existing number that is eliminated by repeal. Renumbering impairs the ability to trace a provision’s history and may result in ambiguity or error. The agency should review its use of renumbering to ensure that such renumbering is necessary and consistent with ss. 1.03 (5) (a) and (c) and 1.067, Manual.

b. In s. SPS 321.40 (1) (d) 3., the definition of “flood hazard area” should be revised to use subdivision paragraphs to achieve the agency’s desired intent.

c. In s. SPS 326.16 (3), the rule provides that an authorized agent may order a manufactured community operator “to make the request specified in sub. (1)”. However, the renumbered sub. (1) does not reference any request. Instead, it states that manufactured home community electrical connections shall meet the requirements of ch. SPS 316. Does the rule intend to refer to a request specified in “sub. (2)”?

d. In SECTION 10, the final sentence of the note should be underlined because it is adding new language to the existing note.

e. The final sentence of s. SPS 326.30 (1) (a) states that “the allowable bill also includes combination of all other charges...”. The word “combination” should be preceded by the word “the”.

f. SECTION 18 renumbers s. SPS 326.33 (1) (a) to s. SPS 326.33 (1), but does not alter par. (b). Was this the intent?