



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 15-039

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 December 2014.]

2. Form, Style and Placement in Administrative Code

a. SECTIONS 3 and 4 of the proposed rule may be combined into a single section as both sections relate to the same treatment. [s. 1.04 (2) (a) 1., Manual.]

b. The proposed rule should be revised to move the substantive provisions included in the definition of “survey report” in s. A-E 7.02 (3) to another location in ch. A-E 7. [s. 1.01 (7) (b), Manual.]

c. In SECTION 6, “(intro.)” should be added to s. A-E 7.08 (1) of the treatment clause as the introduction is being amended. Additionally, the introductory material should be revised to end in a colon as described in s. 1.03 (3) of the Manual.

d. In s. A-E 7.08 (3) (g), the underscored text should follow stricken text. [s. 1.06 (1) (a), Manual.]

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

The introduction of s. A-E 7.05 refers to the survey report referenced in s. A-E 7.02 (1). It appears that the survey report is actually defined under s. A-E 7.02 (3) and the reference should be changed to reflect this discrepancy. [See, also, comment 2. b., above.]

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

a. Section A-E 7.04 (4), is unclear. In the interest of remaining parallel with the prior subsections, it appears that the word “if” should be inserted between the comma and the word “the.”

b. In s. A-E 7.05 (4), the word “shall” used in the first sentence appears unneeded and is confusing. It appears that the word “shall” in the introductory paragraph is sufficient. Generally, the subsection should be revised for clarity.

c. In s. A-E 7.05 (9), a comma should be inserted between “media” and “or”.

d. In s. A-E 7.06 (3), the exemption from the maximum allowable relative positional accuracy should be clarified, through the inclusion of specific circumstances and processes that apply when the maximum allowable relative positional accuracy may be exceeded. Additionally, rather than saying, “it is recognized”, who will be responsible for making this determination?

e. In s. A-E 7.06 (5), the word “at” should be underlined in addition to the word “least” as neither word appears in the current language of the subsection.

f. The first introductory sentence of s. A-E 7.07 is unclear. It appears that the word “recorded” should be inserted between “be” and “according”, and that the word “otherwise” should be inserted between “unless” and “determined”, but it is not clear that these modifications match the drafter’s intent.

g. In s. A-E 7.08 (1) (c), a comma should be inserted in the first sentence after “disturbed” and before “except”.