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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 17-082

#### 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. In the rule summary’s listing of statutes interpreted, a specific citation should be given. Consider, for example, citing to ch. 462, Stats.

b. In the rule summary’s listing of related statutes or rules, consider citing chs. RAD 1 to 3 and 5 and 6.

c. In ss. RAD 4.01 (2) (intro.) and 4.02 (2) (intro.), the ASRT 2010 material that was incorporated by reference is updated to the ASRT 2016. Materials may, in certain circumstances, be incorporated or updated with the consent of the Attorney General. In the rule analysis, the board should comment on its compliance with that requirement. [s. 227.21 (2) (a), Stats.; s. 2.08 (4), Manual.]

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

a. The board should specify whether the practice standards listed in the proposed rule, or the standards as set forth by ASRT, govern. The proposed rule makes edits to the text of the standards set forth by the ASRT. For example, under the proposed rule, s. RAD 4.01 (2) (r) states, “Determining technical exposure standards”. By contrast, the ASRT mirror provision provides, “Optimizing technical exposure factors in accordance with the principles of ALARA”. The board should specify whether the proposed rule alters the ASRT standards or should be read in a manner that is consistent with the ASRT standards. Compare, for example, the different approaches in ss. SPS 361.05 and DWD 274.04 (intro.).

b. Under ss. RAD 4.01 (2) (g) and 4.02 (2) (e), the board uses the capitalized term “As Low As Reasonably Achievable”. The board should consider defining this phrase, as it appears to be terminology with a specialized meaning.

c. In the plain language analysis for the proposed rule, the board could consider explaining the reason for its decision to include the standards of ASRT directly within the Administrative Code. Under current rule, ss. RAD 4.01 and 4.02 make reference to the ASRT standards, but do not list the standards within the Administrative Code.