



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 19-017

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 December 2014.]

2. Form, Style and Placement in Administrative Code

- a. The introductory clause should reflect the amendment to s. NR 10.085 (4) (b) made by SECTION 9.
- b. In SECTION 5:
 - (1) In order to accommodate a new par. (b), the existing sub. (3) should be renumbered sub. (3) (a).
 - (2) There is no need to divide new par. (b) into subdivisions. Accordingly, “(2m)” [sic] should be deleted from the introductory clause and the treatment clause.
- c. In SECTION 10:
 - (1) The treatment clause should identify the amendment to subdivision paragraph c., and the introductory clause should be changed accordingly.
 - (2) In addition to “1.” being added to the treatment clause, it should be added to the text.
- d. In SECTION 11, the treatment clause and text should reflect the repeal of the note to s. NR 10.13 (1) (b) 5.

e. In SECTION 12:

- (1) In the treatment clause, “(intro.)” should be inserted after “(1)”, “(a)” should be inserted after “(6)”, and “is” should be changed to “are”. Corresponding changes should be made to the introductory clause. Note also that sub. (6) (a) should be renumbered and amended as sub. (6), as there are no further subdivisions of that provision in the current code.
- (2) In s. NR 10.145 (1) (intro.), changing “otter seasonal bag limit” to either “the otter seasonal bag limit” or “otter seasonal bag limits” would help syntactically.
- (3) In s. NR 10.145 (6) (a), the department should consider amending the two references to otter permits in light of the shift from a permit system to a license system in this rule. Also, the paragraph is missing a closing period.

f. In SECTION 13, “(intro.)” should be inserted after “(5)” in the treatment clause and in the text, and the introductory clause should be changed accordingly.

g. The last two sections of the rule should be re-numbered SECTION 14 and SECTION 15.

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

a. In SECTION 3, the internal cross-reference “s. NR 10.01 (4)” should be “this subsection”. [s. 1.07 (2), Manual.] Alternatively, a more specific cross-reference would be “par. (d)”.

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

a. In the rule summary under the heading “Analysis of the Rule – Rule Effect – Reason for the Rule,” the reference to 2017 should be to 2019 instead.

b. In SECTION 2, a period should follow “April 30”.

c. In SECTION 3, the words “of the board and” should probably be inserted after “approval”.

d. In SECTION 5, the proposed text is unclear as written. As an initial matter, it should mention otter somewhere other than only the title because the title is not part of the rule. [s. 1.05 (1), Manual.] For example, “for otter” could be inserted after “possession limit”. In addition, if this is meant to be an exception to or a clarification of the possession limit in current s. NR 10.08 (3), this could be re-phrased in similar terms, such as “No person may possess more otters than the applicable bag limit established in s. NR 10.01 (4) (d).”