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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 94-206

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

2. Form, Style and Placement in Administrative Code

a. In the treatment clause of SECTION 1, the correct reference to the amended rule should be “RACE 10.09 (2) (e) 2.” Also, “Section” should be deleted from every treatment clause.

b. Section RACE 10.09 (2) (e) 2 should be rewritten to clarify that the license fee is based on the number of performances scheduled to be held at a racetrack during the period of the license for which the applicant is applying.

c. In SECTION 2 of the rule, the specific paragraphs that are amended in each subsection should be listed in the treatment clause. Also, “RACE 13.05” should appear only before sub. (2) and should not be repeated before subs. (3), (4) and (5) in the text.

d. The separate SECTIONS of a rule-making order should be rearranged in the numerical order of the decimal-numbered provisions as they appear in the rule at the time of drafting. Thus, the treatment of s. RACE 13.05 (1) should immediately follow the treatment of s. RACE 10.09 (2) (e) 2. Also, s. RACE 13.05 (1), as repealed and recreated, needs a title.

e. The analysis to the rule does not sufficiently describe the changes made to s. RACE 13.05 (1). Specifically, the analysis states that s. RACE 13.05 (1) is repealed and recreated for two purposes: (1) to list the licenses alphabetically; and (2) to increase the occupational license fees. The analysis fails to state that 21 occupation categories are added to the list of those required to obtain licenses. In addition, some of the occupation categories, such as “administra-

tive,” “delivery,” “food and beverage,” “money room,” “mutuals” and “vet. assistant-association” are somewhat vague and should be clarified. Also, why is “replacement license” included in the list of occupations required to be licensed?

f. With regard to the 21 occupations added to the list of those required to obtain licenses under s. RACE 13.05 (1), were each of these occupations previously required to obtain licenses under s. RACE 13.05 (5)? If so, were the increases in these license fees from the previous \$20 to the current amounts, which range from \$25 to \$50, included in the calculated average occupational license fee of 15%? If not, how is that average arrived at?

g. The analysis should describe the elimination of “kennel operator” as a separate licensure category in current s. RACE 13.05 (3) (b). Also, it is assumed that since s. RACE 13.05 (3) (a) is not shown, the fee in that paragraph is unchanged; is this correct?