

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE RULE 97-017

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. The preferred drafting style for referencing multiple statutory or Administrative Code provisions is to arrange them in numerical order of the decimal-numbered provisions. This style was not followed in the list of statutes being interpreted by the rule in the analysis accompanying the rule.

b. The text of the new title to s. NR 809.26 should contain the phrase “(title)” preceding “Special.” [See s. 1.05 (3) (a), Manual.]

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

a. The Note following s. NR 809.12 (3) (a) is potentially confusing. Since s. NR 809.12 (3) (intro.) refers to contaminants that are listed not only in s. NR 809.11 (2) (b), but also s. NR 809.11 (2) (a), such as arsenic and mercury, it is not apparent why the Note only references contaminants in s. NR 809.11 (2) (b). Furthermore, “initial compliance period” is a term defined in s. NR 809.04 (29). Since this definition also includes specific dates in initial compliance periods for different types of water systems, the Note would be less ambiguous if it referenced that definition.

b. In s. NR 809.12 (3) (b), the word “Department” should not be capitalized.

c. In s. NR 809.20 (2) (b), the word “and” should be inserted before the word “hexachlorocyclopentadiene.”

d. The inserted language in s. NR 809.542 (3) refers to a “small- or medium-sized system.” Since “small water system” and “medium-sized water system” are defined in s. NR 809.04 (36) and (59), the amendment to s. NR 809.542 (3) should use these defined terms to avoid any confusion over which water systems are being referenced in the amendment. See, for example, the use of the term “small or medium-size water system owner or operator” in the first sentence in s. NR 809.542 (3). Also, in the last sentence, should the material set off by commas follow the word “system”? Finally, in the last sentence, the phrase “including systems” should be replaced by the phrase “including a system.”