CLEARINGHOUSE RULE 01–030

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 September 1998.]

2. *Form, Style and Placement in Administrative Code*

a. Section NR 1.212 (1) (intro.) is incorrectly drafted as introductory material since it does not end with a colon and lead into the subsequent paragraphs. [See s. 1.03 (8), Manual.] Subsection (2) (intro.) was drafted correctly in this regard.

b. The phrase "but is not limited to" in s. NR 1.212 (1) (a) should be deleted. [See s. 1.01 (7) (c), Manual.]

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

a. The second sentence in s. NR 1.212 (1) (intro.) is unnecessarily ambiguous. If the activities described in the subsection are listed sequentially in order of significance, the subsection should say so. If something else is meant by this sentence, the department should more clearly explain what that is.

b. The note following s. NR 1.212 (1) (b) is drafted in a manner that is unclear. The department should explain how timber sale guidance or information is different than marking timber sales. In addition, it is suggested that the note state that timber sale marking is listed in s. NR 1.212 (2) (a).

c. The phrase "non-mandatory" should be replaced with "not mandatory" in s. NR 1.212 (2) (e).

d. Read literally, s. NR 1.213 (3) (b), as amended by Clearinghouse Rule 01-030, is a directive from the department to cooperating foresters to manage all private lands. It is suggested that the word "all" be deleted and that the phrase "under his or her management" be inserted after the word "lands" in this paragraph.