



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 02-027

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. There are two SECTIONS numbered 2 and none numbered 3; the second of these should be numbered SECTION 3. There are two SECTIONS numbered 7, separated by a SECTION numbered 6, and no SECTION numbered 5; the first SECTION 7 should be numbered SECTION 5.

b. In citations, the number of a subdivision and the letter of a subdivision paragraph are shown followed by a period. For example, in both the treatment clause and text of the second SECTION 2 of the rule, the section being amended should be cited as s. PSC 113.0607 (2) (b) 1. a. See also SECTION 4. [See s. 1.03, Manual.]

c. The text of s. PSC 113.0607 (2) (b) 1. a., should be preceded by the reference “PSC 113.0607 (2) (b) 1. a.”; the title should not be shown. [See s. 1.05 (3) (c), Manual.]

d. In s. PSC 113.0607 (2) (b) 1. a. the first word of the first sentence should be capitalized. However, the word “plan” should *not* be capitalized. In fact, throughout that subsection, the terms “plan,” “preventative maintenance plan,” “availability data system,” and “national electric reliability council” should not be capitalized. [See s. 1.01 (4), Manual.] In addition, the rule should refer to either “the plan under sub. (1)” or “the preventative maintenance plan,” rather than the unspecific term, “the plan.”

e. Since s. PSC 113.0609 (1) (a) and (b) are not changed by this draft rule-making order, SECTION 7 should be revised to amend only s. PSC 113.0609 (intro.).

f. In s. PSC 113.0701 (1), (2), (4), (6), (7), and (8), the fact that these terms are described or defined in the cited document is irrelevant to the meaning of the terms; the reference to the document need not be placed in the definitions. If the commission wishes to inform the reader of the origin of the definitions used, this information could be placed in a note, either following each of the definitions affected or at the end of s. PSC 113.0701. Similarly, the cause of harmonic distortion is irrelevant to the meaning of the term, and so the second sentence of s. PSC 113.0701 (2) should be placed in a note. Finally, in sub. (4), the word “power” should be replaced by the word “Power.”

g. In s. PSC 113.0701 (2), there is a comma before the word “means” in the current rule which is missing from the draft rule-making order.

h. The second sentence of s. PSC 113.0701 (8) should begin as follows: “May A transient may be of”. Also in that sentence, the word “form” should be shown as “from”, as it is in the current rule.

i. In SECTION 12 of the draft rule-making order, the title of s. PSC 113.0803 should not be shown as if it were the title of s. PSC 113.0803 (1). Also, the comma following “1980” should be underscored, since it is not in the current rule. Finally, the changes made near the end of that subsection should be drafted as follows: “facility, facilities, residential care apartment complexes or similar facilities,”.

j. In SECTIONS 14, 15 and 16, it is not necessary to strike an existing period and underscore a new one. It is sufficient to strike the material to be repealed and leave the existing period after it.

k. Sections PSC 113.0912 (1) (a), 113.0913 (1) (a), and 113.0914 (1) (a) each begin with an incomplete sentence. The same is true of the paragraphs that follow each of those provisions in the current rule. It appears that language is missing from the introductory language that precedes each of these provisions, such as “under the following circumstances:”. Compare to s. PSC 113.0911 (1) (intro.).