



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 03-070

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 2002.]

2. Form, Style and Placement in Administrative Code

a. SECTION 1 should be divided into two SECTIONS--one that repeals ch. WGC 1 and another that creates ch. Game 1.

b. In s. Game 1.01 (intro.) and (9), “Division of Gaming” should be lower-case.

c. In s. Game 1.01 (29) (a), “individual” should replace “person.”

d. All subunits of a rule should end with a period (except introductory material, which ends with a colon). For example, periods should replace semicolons in s. Game 1.01 (32); also note that the subunits should begin with an initial capital letter. Also see ss. WGC 4.04 (1) and (2), 4.14 (1) (a) to (f), 7.10 (1) (a) 1. to 16., and 13.15 (6).

e. In s. WGC 7.02 (3), “greyhound’s most recent” should follow “2”. Also, “shall” should replace “must.”

f. In s. WGC 7.10 (2) (a), “~~conflict~~ conflicts” should replace “conflicts”. Also, see “Jackpot” in several locations in SECTION 79. In s. Game 11.04 (3) and (7) (a), only the singular “violator” or “violation” should be used. Also see “employee” in s. WGC 16.03 (1), which is being repealed and recreated.

g. In SECTION 65, the treatment clause should state “WGC 7.10 (10) is created to read:”. In the text, “(10)” should be inserted before the title.

h. In s. WGC 8.12 (4), the “notwithstanding” phrase in the latter part of the first sentence could be moved to the beginning of the sentence. For example, “Notwithstanding other division rules, the acceptance of a mutuel ticket by taking an issued ticket away from the window or terminal from which it is purchased shall constitute an acknowledgment by the purchaser of the correctness of the ticket, and each purchaser of a mutuel ticket agrees to be bound by the terms and provisions of this requirement.”

i. In s. WGC 13.05, sub. (4) (intro.) is incorrectly drafted as introductory material; it should end with a colon and lead into the subunits that follow. (Also see s. WGC 15.07 (intro.) and (4) (intro.)) Also, in sub. (5), no striking or underscoring should be used since the entire section is being repealed and recreated.

j. The first sentence in s. WGC 14.21 (1) should be written in the active voice--“The kennel owner or trainer shall immediately inform...”

k. Section 1.08 (2), Manual, should be complied with for the form mentioned in s. WGC 15.05 (2) (b).

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

a. In the portion of the analysis that describes SECTION 37, “par.” should replace “sub.” in two locations.

b. In s. WGC 7.08 (4) (b), “this chapter” or “this section” or a similar phrase should replace “these rules.”

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

a. There are several grammatical errors in the analysis. For example, in the description of SECTION 53, “an objection” should replace “a objection”; in the description of SECTION 68, “one solid” should replace “on solid”; and in the second paragraph, fourth sentence, in the description of SECTION 101, “that” should replace “the.”

b. In s. WGC 4.04 (1) (h), the word “inspected” is unclear in that sentence. Perhaps, a new sentence indicating that “copies of the Division of Gaming’s administrative rules may be viewed at the following information windows” or something along those lines would be more clear.

c. In s. WGC 5.04 (1), the word “thereto” should be removed.

d. In s. WGC 7.10 (2) (a), the word “a” in the second sentence should be removed.

e. In s. WGC 9.13 (3), “50%” should replace “50” in several locations.

f. In s. WGC 10.03, the word “the” should be inserted before “stewards” in the latter part of the second sentence.

g. In s. WGC 10.06 (8), the word “is” should be removed. The word is already present in the current rule. In par. (a), “should” should be replaced by “shall” if this is a requirement.

h. In s. WGC 13.05 (5), the word “in” in the second sentence should be replaced with “to.”

i. In s. WGC 13.14 (3), the word “meet” should be replaced with the word “meeting” (the word currently used in the rule).

j. In s. WGC 15.07 (8), “turnout” and “turn out” are used interchangeably. One term should be used consistently.