



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 04-92

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. The format used for the definition created in s. NR 1.29 (2) (a) is incorrect and should be changed to the following: “*Definition.* In this section, “State Ice Age trail areas” mean lands purchased by the department for the Ice Age trail under the authority of s. 23.09 (2) (d) 10., Stats., except when purchased as part of another department project.” [See s. 1.01 (7) (b) and (c), Manual.]

b. In s. NR 45.09 (10) (b) (intro.) the phrase “any of” should be inserted after the word “meet.” In par. (b) 1. and 2., the word “Only” should be deleted. In pars. (d) and (e), the word “will” should be changed to “shall” and both paragraphs should begin with “the department shall...”

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

a. In s. NR 1.29 (3), it is unclear what “dispersed camping” means. Can the department clarify what this term refers to?

b. In s. NR 45.05 (16v), the word “Transportation” should not be capitalized.

c. The term “state natural area,” first used in s. NR 45.04 (1) (a) 1. and then throughout ch. NR 45, should be defined in s. NR 45.03. [See s. NR 51.22 (7) as an example.]

d. In s. NR 45.04, sub. (3) (t) (title) refers to a “police officer,” sub. (3) (t) 1. uses the term “law enforcement officer,” and sub. (3) (t) 2. refers to a “peace officer.” Is it possible to use only one term in the rule or refer to all three types of officers in each provision?

e. In s. NR 45.05 (3) (d), the department should indicate in the note how a person may apply for a permit from the department.

f. In s. NR 45.09 (10), the department should indicate in the note how a person may obtain an application for an access permit. Also, in the note, “an additional turkeys” should be either plural or singular.

g. In s. NR 45.10 (1) (d), the department should specify where and how a camper may obtain prior approval to move from an assigned campsite. In par. (i), instead of the word “thereafter,” it would be clearer to say “for the duration of the reservation.” Also, in par. (o), it appears that “thereafter” should be changed to “of the permit period.”

h. In the treatment clause of SECTION 12, the notation “(intro.)” should be deleted. In sub. NR 45.10 (2) (b), it appears that the first underscored comma should be changed to a period.

In sub. (2m) (a), the text should be reorganized so that the material in subds. 1. a. and b. and 2. a. to c. follows the phrase “for a period exceeding any of the following.” [See s. 1.03 (8), Manual.] Also, any subdivision paragraph should end with a period, and any (intro.) should end with a colon. Finally, since it appears that “21 days” is being deleted from the current rule, this phrase should be shown as stricken.

In sub. (3) (title), the zero in “outdoor group” should be changed to a capital “O.”

i. In the treatment clause of SECTION 28, additional parentheses should be added to “(23” and “(25”.