



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 05-017

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 January 2005.]

2. Form, Style and Placement in Administrative Code

a. In the statement of Statutes Interpreted by the rule, the phrase “have been as” appears to be a typographical error and should be corrected.

b. The preface to the rule should include the electronic mail address of an agency contact person for the rule and should include the place where comments on the rule should be submitted. [See s. 227.15 (1m) (a) and (f), Stats.]

c. The rule creates s. NR 10.02 (1) (a) as the sole paragraph in that subsection. Instead, it should renumber s. NR 10.02 (1) as s. NR 10.02 (1) (a), amending it by adding the phrase, “Except as provided in par. (b),” at the beginning. The new text should be numbered s. NR 10.02 (1) (b).

d. Section NR 10.07 (1) (k), created by SECTION 2 of the rule, should be provided a title, as all other paragraphs in that subsection are titled.

e. In the existing text of s. NR 10.13 (1) (b) 11., the words “no person may” should be deleted, as they duplicate language in the introduction to that entire subsection.

f. Section NR 10.40 (3) (b) refers to Class A, B, and C permits “as defined in s. 29.193 (2), Stats.” The referenced statute does not define the terms, although one can deduce their meaning from their use in that statute. It might be more accurate to refer to the permit types “as used in s. 29.193 (2), Stats.”

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

a. The phrase, “in the act of attacking domestic animals” is somewhat vague. Does it mean only the attack, or does it include other hunting behavior, such as stalking. If the latter is the intent, can it be made more clear?

b. Why does s. NR 10.10 (1) (b) refer to zones A, A1, and B, when the map shows no shaded areas in those zones?

c. Should s. NR 10.40 (3) (b), as amended by the rule, refer to a “*valid* Class C permit,” as it refers to Class A and B permits? Similarly, in s. NR 12.15 (11) (b), is the word “current” unnecessary in light of the fact that the permit must be valid?

d. The new language in s. NR 45.09 (2) could easily stand as a separate sentence. This would increase clarity by avoiding a long, run-on sentence.