



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 07-017

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 explanation of agency authority in the rule preface, the phrase “Wis. Adm. Code” should be replaced by the notation “Stats.” Also, in the same section, the phrase “to be” should be inserted before the phrase “consistent with.”

b. In the second paragraph of the plain language analysis, the word “a” should be inserted before the phrase “Class I Area.”

c. In s. NR 433.03 (1) and (4), the word “rule” should be replaced by the word “section.”

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

The rule uses the acronym “BART” (Best Available Retrofit Technology). The rule uses this term in a variety of different ways. The department should consider whether the use of this term could be clarified as follows in these rule provisions:

a. Section NR 433.05 (1) a: “The preliminary determination of BART requirements”

b. Section NR 433.05 (1) (b) and (c): “The determination of BART requirements”

c. Section NR 433.05 (2): “... determination of BART requirements”

d. Section NR 433.06 (1) (b) 1: “... subject to BART requirements.”