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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 08-054

#### 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. The following changes should be made to the introductory clause [s. 1.02 (1), Manual.]:

- All references to “Comm” should be removed, except for the initial reference following “to repeal,” “to renumber,” “to renumber and amend,” “to amend,” “to repeal and recreate,” and “to create.”
- The semicolon following “34.22 (4) (c) Note” should be replaced with a comma.
- “34.23 (2) (b) and (c) and (3) (c) Note and (d) Note” should replace “Comm 34.23 (2) (b) and (c), Comm 34.23 (3) (c) Note and (d) Note.”
- “34.24 (6) (d) 3. Note” should replace “Comm 34.24 (6) 3. Note.”
- “34.23 (1) and (2) (a)” should replace “Comm 34.23 (1), Comm 34.23 (2) (a).”
- An “and” should be inserted before “to create.”
- “34.22 (4) (d), (5) (f), and (6) (b)” should replace “Comm 34.22 (4) (d), Comm 34.22 (5) (f), Comm 34.22 (6) (b).”
- “34.24 (3) (e) and (f) and (6) (d) 5.” should replace “Comm 34.24 (3) (e) and (f), Comm 34.24 (6) (d) 5.”
- “34.31 (5) and (6), and” should replace “Comm 34.31 (5), Comm 34.31 (6).”

- “34.32 (2) Note and (6)” should replace “Comm 34.32 (2) Note, and Comm 34.32 (6).”

b. If a subsection in a section has a title, all subsections in that section should have titles. In SECTION 7, s. Comm 34.03 (5) should have a title, and in SECTION 53, s. Comm 34.32 (6) should have a title. [s. 1.05, Manual.]

c. Some SECTIONS are not in numerical order. SECTIONS 13 and 14 should be reversed, and SECTIONS 28 and 29 should be reversed. [s. 1.04 (1), Manual.]

d. The treatment of s. Comm 34.32 (7) should be moved from SECTION 51 to the SECTION following SECTION 53. [s. 1.04, Manual.]

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

In SECTION 8, “s. 34.03 (5)” should replace “s. 34.03 (4).”

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

a. In the Analysis of Rule, the acronym “ASTM” should be spelled out in its first use. [s. 1.01 (8), Manual.]

b. In the Analysis of Rule, “Chapter XIII” should replace “Chapter XII” in the reference to the Illinois Administrative Code in item 7.

c. In the Analysis of Rule, the agency should specify which citations are from the Iowa Administrative Code and which are from the Iowa Code in item 7.

d. In the Analysis of Rule, it appears that “F 2007-07a” should replace “F 2007-07” and that “F 2460-07” should replace “F 2460-06” in the references to ASTM standards in item 8.

e. In the Analysis of Rule, “Outdoor” should replace “Outdor” in paragraph 3 of item 8.

f. In SECTIONS 3 and 46, “to read” should be inserted at the end of the treatment clause. [s. 1.04, Manual.]

g. In SECTION 3, “ORDINANCES” should replace “ORDIANCES” in the title of s. Comm 34.002 (3).

h. In SECTIONS 4, 36, and 47, “but not limited to” should be removed.

i. In SECTION 7, “is” should be inserted after “34.03 (5)” in the treatment clause. [s. 1.04, Manual.]

j. In SECTION 7, may either the engineering analysis or nondestructive test report be used to reclassify a ride as class 1 or class 2? Section Comm 34.03 (2) seems to require an engineering analysis in order for a ride to be classified as class 2. The agency should clarify the apparent inconsistency.

k. In SECTION 9, “ride” should be inserted after “amusement” in s. Comm 34.08 (1) (a) and (b).

l. In SECTION 44, “passenger-carrying” should replace “passenger carrying” in order to be consistent with other references to that phrase.

m. In SECTION 52, “are” should replace “is” in the treatment clause. [s. 1.04, Manual.]

n. In the effective date clause, a period and comma should be inserted after “Stats.”