



---

---

## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

---

---

**Ronald Sklansky**  
*Clearinghouse Director*

**Richard Sweet**  
*Clearinghouse Assistant Director*

**Terry C. Anderson**  
*Legislative Council Director*

**Laura D. Rose**  
*Legislative Council Deputy Director*

### CLEARINGHOUSE RULE 09-016

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]**

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

a. In the plain language analysis of SECTION 3, it appears that “maximum” should replace “minimum.”

b. The second instance of the phrase “of commercial fish” should be removed from s. NR 25.03 (1) (b) 2.

c. In s. NR 25.03 (1) (b) 2. and 3., the proposal appears to use “total harvest of commercial fish” and “total reported harvest” to describe the same total. These phrases should be the same. It is recommended that these also be made uniform with other references with the same meaning elsewhere in the chapter, including reference to “minimum commercial harvest” under s. NR 25.03 (2) (b) 3., as renumbered.

d. The use of at least five different terms to all mean “harvest limit” throughout this chapter should be made uniform. (See proposed s. NR 25.06 (4), for example.)

e. The formula used to calculate the alternative minimum catch under s. NR 25.03 (1) (b) 3. (see also s. NR 25.03 (2) (b) 3.) should be clarified. When applicable, it would appear to reduce a fisher’s minimum catch for a license year by the fisher’s total harvest reported for the previous year, which would seem to mean that the fisher would have no minimum catch requirements at all for the new license year, as long as the fisher’s total catch the previous year exceeded the minimum catch for that year. Is this the department’s intent? This provision would also appear to potentially set higher minimum catch requirements for fishers who did not meet minimum catch requirements the previous year as compared to those that did.