



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Richard Sweet
Clearinghouse Director

Pam Shannon
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 11-013

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.]

2. Form, Style and Placement in Administrative Code

a. In the introductory clause of the rule-making order, the treatment of the rule sections should be rearranged; the sections should be grouped and treated in the following order: to repeal, to renumber, to renumber and amend, to amend, to repeal and recreate, to create. [See s. 1.02 (1), Manual.]

b. In SECTION 1 and throughout the rule, “Section” should be in all capital letters. Also, in SECTION 1, the treatment clause should be changed to “NR 46, subch. II is repealed”.

c. In s. NR 46.16 (1) (d), “shall not” should be deleted; the rule should continue to say “may not”. [See s. 1.01 (2), Manual.]

d. In the treatment clause to SECTION 7, the notation “(title) and” should be added after “NR 46.16”.

e. In s. NR 46.18 (4) (b), “must” should be changed to “shall”. The same problem occurs in s. NR 46.23 (2m).

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

a. In SECTION 13, it would be helpful to add a note that contains information about how to access the department forms.

b. In s. NR 46.16 (9) (a), is it the department's intent to refer all requests for Managed Forest Land (MFL) applications to certified plan writers or to refer all completed MFL applications the department receives to certified plan writers? The department should clarify its intent regarding this paragraph. In sub. (9) (b), instead of "The department may agree to develop an application", it appears it may be more accurate to state that "The department may agree to develop a proposed management plan". The department should clarify what it means by "develop an application".