



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 13-080

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 November 2011.]

2. Form, Style and Placement in Administrative Code

a. In the introductory clause, “to amend NR 45.045 (2) (a) and (b)” should be replaced with “to repeal NR 45.045 (2) (b); and to amend NR 45.045 (2) (a) and (Note), relating to”. [s. 1.02 (1), Manual.] [See comment b., below.]

b. The text of the proposed rule does not appear in a format that is consistent with rule drafting conventions. The rule text should be modified to follow the drafting conventions set forth in the Manual. For example, because the rule amends s. NR 45.045 (2) (a) and (Note) and repeals s. NR 45.045 (2) (b), the rule should include the following treatment clauses: (1) “SECTION 1. NR 45.045 (2) (a) is amended to read:”; (2) “SECTION 2. NR 45.045 (2) (b) is repealed.”; and (3) “SECTION 3. NR 45.045 (Note) is amended to read:”. In each SECTION, only the provision being affected should be shown. [s. 1.04, Manual.]

c. SECTION numbers should be added in place of “XX” in the provisions of the rule text relating to effective date and board adoption. [s. 1.02 (4), Manual.]

d. The history of the amended rule provision should not be included below the rule text.

e. The agency should consider renumbering s. NR 45.045 (2) (d) and (e) as s. NR 45.045 (3) and (4) to place those provisions separately from the provisions to which s. NR 45.045 (2) refers. If the agency renumbers s. NR 45.045 (2) (d) and (e), s. NR 45.045 (2) (e) should also be amended to replace “this paragraph” with “~~this paragraph~~ this section”. To accomplish these changes, one SECTION should renumber s. NR 45.045 (2) (d), and another

SECTION should renumber and amend s. NR 45.045 (2) (e). The introductory clause should also be modified to reflect these changes.

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

a. In the provision of the rule text relating to the adoption of the rule by the board, the word “adoption” is misspelled.

b. To avoid confusion, the rule text should be formatted such that underscoring does not appear beneath references that are hyperlinked in the online format of the rule text.