



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Scott Grosz and Jessica Karls-Ruplinger
Clearinghouse Co-Directors

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 13-112

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, s. NR 219.02 (1) (intro.) and (2) should be added to the list of rule sections amended by the proposed rule. [See also comment 2. d., below.] In addition, if the rule will have an impact on small business, the phrase “and affecting small business” should be included at the end of the relating clause. [s. 1.02 (1), Manual.]

b. In s. NR 157.21, “NR” should not be stricken-through. This comment also applies to ss. NR 219.04 (1) and 233.40 (2).

c. Section NR 233.40 (2) should be treated in a separate SECTION, which should be placed at the end of the order. [s. 1.04 (1), Manual.]

d. In SECTION 2, “(intro.)” should be inserted after “219.02 (1)” in the treatment clause. The text of pars. (a) and (b) should not be shown because those paragraphs are not amended by the proposed rule.

e. In s. NR 219.02 (2), the deleted cross-reference should be “219.06” rather than “219.05”.

f. The treatment of ss. NR 219.05 and 219.06 in SECTION 3 should be placed in a SECTION following SECTION 15. [s. 1.04 (1), Manual.]

g. In SECTIONS 5 to 15, a period, rather than a colon, should follow the word “SECTION”.

h. Given the technical nature of the proposed rule, the agency should consider obtaining a final, careful review of the content in the tables by a subject matter expert.

i. The agency should confirm that a footnote notation corresponds with each footnote in the tables. For example, in Table A, confirm that there is a notation for footnote 29.

j. The agency should check the table footnotes to ensure consistent citation format. For example, the citations in footnotes 1 and 2 in Table E do not include the notations "US EPA." or "USGS.", which appear at the end of similar citations in other tables. Similarly, throughout the tables, some citations include a comma following the year of publication, whereas other citations include a period. [For example, see footnotes 20 and 21 in Table H.]

k. The agency should check the format of spacing in the tables. Additional line spacing appears inconsistently.

l. In footnote 5 in Table D, clarify what is meant by "they".

m. The agency should check the tables to ensure consistent use of bolded lines. For example, in Table B, the line below the "any of the following:" entry is bolded in 4. but not in 3.

n. In Table EM, is there missing text below the heading "Sample"?

o. In Table EM, the notation "*" appears following the "200.9" in the entry for Selenium. Was that notation intended to correspond to a numbered footnote?

p. In Table ES, it appears that the first note following the table entries applies to a single entry, whereas the other two notes address the table, generally. The agency should consider using different notation styles to indicate the different applications of the notes.

q. In Table F, would it be possible to reorder some entries to achieve more numerical order?