WISCONSIN LEGISLATIVE COUNCIL
RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 14-009

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 rule analysis, the correct citation to the Wisconsin Administrative Code when citing related statutes or rules is "Wis. Adm. Code", not Wis. Admin. Rule.

b. In the rule analysis, the acronym "DEA" in the description of Michigan's laws should be capitalized.

c. The board should review the entire rule for consistent use of the acronym "SUA". See, for example, s. CSB 3.045 (intro.), (2), and (4).

d. In s. CSB 3.045 (1), "s." should appear before "CSB 3.08 (1)".

3. Conflict With or Duplication of Existing Rules

Current s. CSB 3.08 (2), Wis. Adm. Code provides for a suspension or revocation of a SUA permit for violating s. 3.08. Proposed s. CSB 3.045 (1) provides for granting a limited SUA, or a denial of an SUA, for violating s. CSB 3.08. It would be useful to provide examples of which types of violations will result in these different outcomes for SUA permits.

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

a. The rule provides for a "limited" SUA. However, there is no guidance as to how such an SUA may be limited. It might be useful to define a "limited" SUA, and provide

examples of what types of limits might be placed on an SUA if any of the reasons in s. CSB 3.045 are determined to exist.

b. The following clause in the plain language analysis is unclear and should be rewritten: "violating federal or state statutes related to have the ability to have controlled substances special use".

c. In the first sentence of the "Summary of, and comparison with, existing or proposed federal regulations", change "requires" to "require".

d. In the description of Illinois law, change the word "felon" to "felony".

e. In the description of Iowa law, the word "conducts" in the second line should be "conduct". In the third line, delete "in Iowa", since it is redundant.

f. In the last sentence of the description of Minnesota law, insert "and" before the word "violation in the last clause, and end that sentence with a period instead of a semicolon.