



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 15-005

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 December 2014.]

2. Form, Style and Placement in Administrative Code

In s. NR 407.09 (1) (b) 3. (intro.), it appears that “all” or “any” should be inserted before “of the following”.

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

a. In s. NR 406.03 (1e) (intro.), quotation marks should be added around “commence construction” and “commence modification” and “that” should replace “which” after “chapter”. In addition, “will” should be changed to “shall”.

b. In s. NR 407.02 (6) (Note), it appears that the material is substantive and should be placed in the text of the rule instead of in the Note. [s. 1.09 (1), Manual.]

c. In s. NR 407.03 (1s) (title), “SOURCE” should be inserted after “MINOR” and before “EXEMPTION”.

d. Does the content of the second note following s. NR 407.03 (1s) contradict the text of the rule in s. NR 407.03 (1s) (c) 3., relating to withdrawal of pending operation permit applications?

e. In s. NR 407.14 (1m) (f), it is unclear how the requirement that an expiring term for a non-part 70 source operation permit must be at least 18 months from the date of final revision interacts with the directive in s. NR 407.09 (1) (b) 4., that the department may not specify an expiring term for a non-part 70 source of less than five years. Is s. NR 407.14 (1m) (f) an exception

to s. NR 407.09 (1) (b) 4.? It would be helpful if the department would clarify its intent regarding these rule sections.

- f. In s. NR 445.09 (3) (d), in the first sentence, “who” should be changed to “that”.