



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 15-041

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

- a. In SECTION 1 and throughout the proposed rule, references to the Wisconsin Statutes should use the form “, Stats.,” rather than “of the Statutes”.
- b. Should the treatment described in SECTION 55 of the proposed rule refer to s. SPS 321.05 (3) (am) 5.?
- c. In SECTION 56 of the proposed rule, the treatment of s. SPS 321.06 may be indicated as amendment rather than renumbering and amendment. The same comment applies to the treatment indicated in SECTION 90.
- d. The sentences in SECTIONS 89 and 97 of the proposed rule should end with periods.
- e. To match the style of s. SPS 322.38 (1) (b) 1., it appears a title should be included in s. SPS 322.38 (1) (b) 2., as created in SECTION 106 of the proposed rule. Additionally, each subdivision title should conform to the style described in s. 1.05 (2) (e) of the Manual.
- f. In SECTION 127 of the proposed rule, the text should refer to s. SPS 325.01 (1) (title) in order to match the content of the treatment clause to that SECTION.
- g. The proposed rule should be reviewed in its entirety for the excessive subdivision of rules as well as for whether introductory material is necessary when rules are subdivided. [See s. 1.03, Manual.]

4. Adequacy of References to Related Statutes, Rules and Forms

a. In SECTION 52 of the proposed rule, should the new cross-reference in s. SPS 321.05 (3) (am) (intro.) refer to par. (bm)?

b. In SECTION 73 of the proposed rule, the reference to subd. 3. a. should include a period after “3”.

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

a. In SECTION 9 of the proposed rule, the use of a hyphen is unnecessary.

b. In SECTIONS 49, 51, and 56 of the proposed rule, the reference to “net floor area” or a similar concept is used a number of times. It may add clarity to provide a more specific definition of this term than the exclusion described in proposed s. SPS 321.05 (1m). Also, since it refers to s. SPS 321.05 (1) and (2), it may be helpful for s. SPS 321.05 to be organized such that the content relating to defining “net floor area” precedes subs. (1) and (2).