



Wisconsin Legislative Council

RULES CLEARINGHOUSE

Scott Grosz
Clearinghouse Director

Anne Sappenfield
Legislative Council Director

Margit Kelley
Clearinghouse Assistant Director

CLEARINGHOUSE RULE 21-069

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

2. Form, Style and Placement in Administrative Code

a. In s. NR 10.01 (1) (v), the stricken text, “~~moorhens~~”, should precede the adjacent underscored material.

b. The proposed rule should be reviewed for consistent use of rule subunits, as described in s. 1.10(1) of the Manual. For example, consider the use of subunits under the “locality” heading in s. NR 10.01 (1) (g) in comparison to the lack of such subunits under the similarly subdivided heading in s. NR 10.01 (1) (b).

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

a. In Section 1 of the plain language analysis prepared by the department, it appears that “party” should be changed to “part”. Also in Section 1, adding “from three” before “2 scaup” would improve clarity. In the summary of, and comparison with, existing or proposed federal statutes and regulations prepared by the department, it appears that “proving” should be changed to “providing”. In the summary of factual data and analytical methodologies used and how any related findings support the regulatory approach chosen prepared by the department, in the fourth paragraph, it appears that “take” should be inserted between “to” and “advantage”.

b. In s. NR 10.01 (1) (b), the period after “As established by zone” should not be deleted. In addition, if the phrase “no more than 1 may be from the Southern or Open Water Zones” is intended to modify “2 scaup”, then adding parentheses around the first phrase would improve clarity.

c. In s. NR 10.01 (1) (d), a period should be added after “Common Gallinule (Moorhen)” and after “Sept. 1-Nov. 9”. The same issue occurs in subs. (1) (e), (1) (f) 1., and (1) (g) 1.

d. In s. NR 10.01 (1) (v), should “or subzone” be deleted if the “Mississippi River subzone” is being changed to the “Mississippi River zone” and no other subzones exist in sub. (1) (g) to (h)?